

*Provisional and Permanent  
Constitutions*

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PROVISIONAL AND PERMANENT  
CONSTITUTIONS,

TOGETHER WITH THE

Acts and Resolutions

OF THE

FIRST SESSION OF THE PROVISIONAL CONGRESS,

OF THE

CONFEDERATE STATES.

1861.

MONTGOMERY, ALA.:  
SHORTER & REID, PRINTERS AND BINDERS

1861.

GENERAL ORDERS, No. 7.

The District Enrolling Officers (reporting to, and acting in concert with, the local commander,) will proceed forthwith, or send some suitable person to visit the various Camps, and troops within their respective Districts, mustered into special organizations, and known as the "Georgia State Guard," whose term of service is about to expire. The purpose of the visit will be to allow all who desire, to avail themselves of the privilege of volunteering, and farlough, extended in General Orders, No. 3, current series of the War Department, herewith subjoined.

Twenty (20) days furlough from the expiration of their enlistment, before reporting at the Camp of Instruction, will be allowed to all who are in camp, and thus volunteer. Those who decline to volunteer or to report to the Enrolling Officer, at the expiration of their term of enlistment for Enrollment, will forfeit all claim to furlough, and will be conscribed and sent to the army immediately upon the expiration of their present special service.

This order is issued with the concurrence of Major General Howell Cobb, commanding "Georgia State Guard."

By order of

MAJOR CHAS. J. HARRIS.

Com'dt of Conscrip'ts for Gen.

P. Looney, Lieut. & Act'g Adj't.

ADJUTANT AND INSPECTOR GENERAL'S OFFICE, }  
Richmond, Jan. 9, 1864. }

1. The following Acts of Congress and Regulations are published for the information of all persons concerned therein.

## ACTS.

AN ACT to prevent the Elistineut or Enrollment of  
Substitutes to the Military Service of the Coned-  
erate States.

"The Congress of the Confederate States of America do enact, That no person liable to Military service shall hereafter be permitted or allowed to furnish a substitute for such service, nor shall any substitute be received, enlisted or enrolled in the military service of the Confederate States."

AN ACT to put an end to the Exemption from Military Service, of those who have heretofore furnished Substitutes.

"Whereas, in the present circumstances of the country, it requires the aid of all who are able to bear arms :

"The Congress of the Confederate States of America do enact, That no person shall be exempted from military service, by reason of his having furnished a substitute; but this act shall not be so construed as to effect persons who, though not liable to render military service, have, nevertheless, furnished substitutes." [Approved January 31st, 1864.]

11. Persons rendered liable to military service by operation of the preceding acts, are placed on the same footing with all others hitherto held liable by Acts of Congress.

111. Persons herein rendered liable to military service are required to report as volunteers or conscripts, without delay, to the enrolling officers; and all who delay beyond the 1st of February 1864, will be considered as having renounced the privilege of volunteering, and held for the assignment according to law.

IV. Enrolling officers will proceed, as rapidly as practicable, in the enrollment of persons hereinafter made liable to military service. Previous to enrollment as conscripts, all such persons will be allowed to volunteer in companies in service on the 16th April 1862; provided, the company chosen does not at the time of volunteering reach the maximum number allowed; and upon such company being selected the volunteer will receive from the enrolling officer a certificate to the effect that he has so volunteered; and no volunteer will be received into any company except on such certificate. Persons who fail to make their selection at the time of enrollment, will be assigned according to existing regulations.

Y. Persons who report to the enrolling officers will be enrolled, and may be allowed a furlough of ten days before reporting to the camp of instruction.

Y. L. All persons, whether volunteers or conscripts under this order, will pass through the camp of instruction of the State to which they belong, and be forwarded thence to the companies which are selected, or to which they may be assigned.

VII. The Bureau of Conscription is charged with adopting proper regulations for the enforcement of this order.

VIII. All exemptions heretofore granted are subject to revision, under instructions from the Bureau of Conscription; and if found to be improper or unauthorized by law, will be revoked.

By order

A. COOPER

S. COOPER,  
Adjutant and Inspector General.

**Savannah Republican, Augusta Constitutionalist, and Atlanta Intelligencer** will each copy and publish five (5) times daily.

jan 92-d50

### Notice from the Commandant of Conscript.

FOR the information of the public, it is published that the Enrolling Department of Georgia is divided into ten (10) Congressional Districts, each of which is under charge of a District Enrolling Officer.

The 1st, 2d, 4th and 7th Bnls. to act under the immediate supervision of Maj. A. M. Rowland, Mason Co., and the 3th, 5th, 6th, 8th and 10th, under that of Maj. John F. Andrews, DeCATUR. All special applications for exemptions or detail, and communications regarding the K-rolling service, will be forwarded through the county Enrolling Officers to the Colon of Districts.

The Kuratling Head Quarters of the several Districts are located at the following places, viz :

1st	Congressional District	Chas. E. McNamara	Gl.
2d	do	do	do
3d	do	do	do
4th	do	do	do
5th	do	do	do
6th	do	do	do
7th	do	do	do
8th	do	do	do
9th	do	do	do
10th	do	do	do

CHARLES J. HARRIS, Major General's  
 Counselor, State of Georgia  
 Savannah Republican, Augusta Constitution-  
 alist, Columbus Times, and Atlanta Intelli-  
 gencer published ten times.  
 Jan 29, 1910.

## THE MILITARY EXEMPTION ACT.

The following is a copy of the Exemption Act, as finally passed by both Houses of Congress:

A bill to exempt certain persons from military service, and to repeal the act entitled "An act to exempt certain persons from enrollment for service in the army of the Confederate States," approved August 1st of April, 1862.

1. *The Congress of the Confederate States of America do enact*, That all persons who shall be held unfit for military service in the field, by reason of bodily or mental incapacity or inability, under rules to be prescribed by the Secretary of War, the Vice President of the Confederate States, the officers, judges and executives, of the Confederate and State Governments, during postmasters appointed by the President and confirmed by the Senate, and such acts in their offices as are allowed by the Postmaster-General, and now employed, and excluding all other postmasters, their assistants and clerks; and, except such State officers as the several States may have declared, or may hereafter declare by law to be liable to military duty, the members of both Houses of the Congress of the Confederate States, and of the Legislatures of the several States, and their respective clerks; all clerks now in the offices of the Confederate and State Governments, authorized by law, receiving salaries or fees.

### VOLUNTEER TROOPS.

All volunteer troops heretofore raised by any State since the passage of the act entitled "An act further to provide for the public defense," approved April 10th, 1862, while such troops shall be in active service under State authority provided that this exemption shall not apply to any person who was liable to be called into service by virtue of said act of April 10th, 1862.

### MANUFACTURING AND TRANSPORTATION COMPANIES.

All pilots and persons engaged in the merchant marine service, the president, superintendents, conductors, treasurer, chief clerk, engineers, managers, station agents, section masters, two expert track hands in each section of eight miles, and mechanics in the active service and employment of railroad companies, not to include laborers, porters and messengers; the president, general superintendent and operators of telegraph companies; the local superintendent and operators of said companies not to exceed four in number at any locality but that at the seat of government of the Confederate States, the president, superintendents, captains, engineers, chief clerk and mechanics in the active service and employment of all companies engaged in river and canal navigation, and all captains of boats, and engineers thereon employed.

### EDITORS, PRINTERS AND PUBLISHERS.

One editor of each newspaper now being published, and such employees as the editor or proprietor may certify upon oath to be indispensable for conducting the publication, the public printer, and those employed to perform the public printing for the Confederate and State Governments, every minister of religion authorized to preach according to the rules of his sect and in the regular discharge of ministerial duties.

### RELIGIOUS NON-COMBATANTS.

All persons who have been and now are members of the Society of Friends and the Association of Dunkers, Nazarenes, and Mennonites, in regular membership in their respective denominations, provided members of the Society of Friends, Nazarenes, Mennonites and Dunkers, shall furnish substitutes, or pay a tax of \$500 each into the public Treasury.

### PHYSICIANS.

All physicians who now are and for the last five years have been in actual practice of their profession.

### SHOEMAKERS, TANNERS, ETC.

All shoemakers, tanners, blacksmiths, wagon makers, millers and their engineers, millwrights, skilled and actually employed in their regular vocation in the said trades, habitually engaged in working for the public and whilst so actually employed, provided said persons shall take oath in writing that they are so skilled and actually employed at the time as their regular vocation in one of the above trades, which affidavit shall only be prima facie evidence of the facts therein stated.

### A PROHIBITION AGAINST EXEMPTION.

Provided further, that the exemption herein granted to persons by reason of their peculiar mechanical or other occupation or employment not connected with the public service shall be subject to the condition that the products of the labor of such exempts, or of the companies and establishments with which they are connected, shall be sold and disposed of by the proprietors at prices not exceeding seventy-five per centum upon the cost of production, or within a maximum to be fixed by the Secretary of War, under such regulations as he may prescribe; and it is further provided that if the proprietors of any such manufacturing establishments, shall be shown upon evidence to be submitted to and judged of by the Secretary of War, to have violated, or in any manner evaded, the true intent and spirit of the foregoing proviso, the exemptions therein granted shall no longer be extended to them, superintendents or operatives in said establishments, but they, and each and every one of them, shall be forthwith enrolled under the Confederate army, and shall in no event be again exempted therefrom by reason of said manufacturing establishments or employment therein.

### HOSPITALS, ASYLUMS, &c.

All superintendents of public hospitals, lunatic asylums, and the regular physicians, nurses and attendants therein, and the teachers employed in the institutions for the deaf, dumb and blind. In each apothecary store now established and doing business, one apothecary in good standing, who is a practical apothecary.

### WOOL, COTTON, AND PAIRER MANUFACTURING.

Superintendents and operatives in wool and cotton factories, paper mills, and superintendents and managers of wool carding machines, who may be exempted by the Secretary of War, provided the profits of such establishments shall not exceed seventy-five per centum upon the cost of production, to be determined upon oath of the parties, subject to the same penalties for violation of the provisions herein contained as are heretofore provided in case of other manufacturing and mechanical employments.

### EDUCATIONAL EXEMPTIONS.

All presidents and teachers of colleges, academies, schools, and theological seminaries who have been regularly engaged as such for two years preceding the passage of this act.

### ARTISANS EMPLOYED ON "GOVERNMENT WORK."

All artisans, mechanics, and employees in the establishment of the government for the manufacture of arms, ordnance, ordnance stores and other munitions of war who may be certified by the officer in charge thereof, as necessary for such establishment; also all artisans, mechanics, and employees in the establishments of such persons as are or may be engaged under contracts with the Government in furnishing arms, ordnance, ordnance stores, and other munitions of war, saddles, harness, and other supplies, provided that the chief of the ordnance bureau, or some ordnance officer authorized by him for the purpose, shall approve of the number of the operatives required in such establishment; all persons employed in the manufacture of arms, or ordnance of any kind by

the several States; or by contractors to furnish the same to the several State Governments, whom the Governor or Secretary of State thereof may certify to be necessary to the war, all persons engaged in the construction of ships, gunboats, engines, mills, or other vessels necessary to the public defense and in the construction of the Secretary of the Navy, all engineers, mechanics, machinists, and others employed in the production and maintenance of rail to the extent of twenty bushels per day, and of land and iron, and all persons engaged in making iron-cast for casting pig and bar iron, not to embrace laborers, carpenters, wagoners and servants, unless employed as directed under the authority and by the Governor or agents of a State, or in works employed in the production of iron for the Confederate States.

### STOCK RAISING.

One male stealer for every five head of cattle, for every 250 head of horses or mules, and one shepherd for every five head of sheep, of which persons as are engaged exclusively in raising stock, provided there is no white male adult not liable to do military duty engaged with such persons in raising and stock.

### ORIGINALS OF PLANTATIONS.

To secure the proper police of the country the persons either as agent, owner, or overseer on each plantation on which one white person is required to be kept by the laws or ordinances of any State, and on which there is one white male adult not liable to do military duty, and in States having no such law or person, as agent, owner, or overseer on each plantation of twenty negroes, and on which there is no white male adult not liable to military service, and, furthermore, for additional police for every twenty negroes on two or more plantations within five miles of each other, and each having less than twenty negroes, on which there is no white male adult not liable to military duty, one person, being the eldest of the owners or overseers on such plantation.

### SPECIAL EXEMPTIONS.

Also, a regiment raised under and by authority of the State of Texas for the frontier defence, now in the service of said State, in such service; and such other persons as the President shall be satisfied on account of time, equity, or necessity, ought to be so, are hereby exempted from military service in the armies of the Confederate States, provided that the exemptions herein enumerated shall only continue whilst the exempted are actually engaged in the two persons or occupations.

### 2. That the act entitled "An act

to exempt certain persons from

shall constitute a quorum

may adjourn from day to

the attendance of absent

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# CONSTITUTION

## FOR THE

# PROVISIONAL GOVERNMENT

## OF THE

# CONFEDERATE STATES OF AMERICA.

We, the Deputies of the Sovereign and Independent States of South Carolina, Georgia, Florida, Alabama, Mississippi, and Louisiana, invoking the favor of Almighty God, do hereby, in behalf of these States, ordain and establish this Constitution for the Provisional Government of the same: to continue one year from the inauguration of the President, or until a permanent Constitution or Confederation between the said States shall be put in operation, whichever shall first occur.

### ARTICLE I.

#### SECTION 1.

All legislative powers herein delegated shall be vested in this Congress now assembled until otherwise ordained.

#### SECTION 2.

When vacancies happen in the representation from any State, the same shall be filled in such manner as the proper authorities of the State shall direct.

#### SECTION 3.

1. The Congress shall be the judge of the elections, returns and qualifications of its members; any number of Deputies from a majority of the States, being present, shall constitute a quorum to do business; but a smaller number may adjourn from day to day; and may be authorized to compel the attendance of absent

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members; upon all questions before the Congress, each State shall be entitled to one vote, and shall be represented by any one or more of its Deputies who may be present.

2. The Congress may determine the rules of its proceedings, punish its members for disorderly behavior, and with the concurrence of two-thirds, expel a member.

3. The Congress shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and nays of the members on any question, shall, at the desire of one-fifth of those present, or at the instance of any one State, be entered on the journal.

#### SECTION 4.

The members of Congress shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the Confederacy. They shall in all cases, except treason, felony and breach of the peace, be privileged from arrest during their attendance at the session of the Congress, and in going to and returning from the same; and for any speech or debate, they shall not be questioned in any other place.

#### SECTION 5.

1. Every bill which shall have passed the Congress, shall, before it becomes a law, be presented to the President of the Confederacy; if he approve, he shall sign it; but if not, he shall return it with his objections to the Congress, who shall enter the objections at large on their journal, and proceed to reconsider it. If, after such re-consideration, two-thirds of the Congress shall agree to pass the bill, it shall become a law. But in all such cases, the vote shall be determined by yeas and nays; and the names of the persons voting for and against the bill shall be entered on the journal. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner, as if he had signed it, unless the Congress, by their adjournment, prevent its return, in which case it shall not be a law.—The President may veto any appropriation or appropriations and approve any other appropriation or appropriations in the same bill.

2. Every order, resolution or vote, intended to have the force

and effect of a law, shall be presented to the President, and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be re-passed by two-thirds of the Congress, according to the rules and limitations prescribed in the case of a bill.

3. Until the inauguration of the President, all bills, orders, resolutions and votes adopted by the Congress shall be of full force without approval by him.

#### SECTION 6.

1. The Congress shall have power to lay and collect taxes, duties, imposts and excises, for the revenue necessary to pay the debts and carry on the Government of the Confederacy; and all duties, imposts and excises shall be uniform throughout the States of the Confederacy.

2. To borrow money on the credit of the Confederacy:

3. To regulate commerce with foreign nations, and among the several States, and with the Indian tribes:

4. To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the Confederacy:

5. To coin money, regulate the value thereof and of foreign coin, and fix the standard of weights and measures:

6. To provide for the punishment of counterfeiting the securities and current coin of the Confederacy:

7. To establish post offices and post roads:

8. To promote the progress of science and useful arts, by securing, for limited times to authors and inventors, the exclusive right to their respective writings and discoveries:

9. To constitute tribunals inferior to the supreme court:

10. To define and punish piracies and felonies committed on the high seas, and offences against the law of nations:

11. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water:

12. To raise and support armies; but no appropriation of money to that use shall be for a longer term than two years:

13. To provide and maintain a navy:

14. To make rules for the government and regulation of the land and naval forces:

15. To provide for calling forth the militia to execute the

laws of the Confederacy, suppress insurrections, and repel invasions :

16. To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the Confederacy, reserving to the States respectively the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress :

17. To make all laws that shall be necessary and proper for carrying into execution the foregoing powers and all other powers expressly delegated by this Constitution to this Provisional Government :

18. The Congress shall have power to admit other States :

19. This Congress shall also exercise Executive powers, until the President is inaugurated.

#### SECTION 7.

1. The importation of African negroes from any foreign country other than the slave-holding States of the United States, is hereby forbidden ; and Congress are required to pass such laws as shall effectually prevent the same.

2. The Congress shall also have power to prohibit the introduction of slaves from any State not a member of this Confederacy.

3. The privilege of the writ of Habeas Corpus shall not be suspended unless, when in case of rebellion or invasion, the public safety may require it.

4. No Bill of Attainder, or ex post facto law shall be passed.

5. No preference shall be given, by any regulation of commerce or revenue, to the ports of one State over those of another : nor shall vessels bound to or from one State be obliged to enter, clear, or pay duties, in another.

6. No money shall be drawn from the treasury, but in consequence of appropriations made by law ; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

7. Congress shall appropriate no money from the treasury, unless it be asked and estimated for by the President or some one of the heads of Departments, except for the purpose of paying its own expenses and contingencies.

8. No title of nobility shall be granted by the Confederacy ;

and no person holding any office of profit or trust under it, shall, without the consent of the Congress, accept of any present, emolument, office, or title of any kind whatever, from any king, prince, or foreign State.

9. Congress shall make no law respecting an establishment of religion or prohibiting the free exercises thereof: or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of such grievances as the delegated powers of this Government may warrant it to consider and redress.

10. A well regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed.

11. No soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war, but in a manner to be prescribed by law.

12. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated; and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

13. No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case, to be a witness against himself; nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

14. In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witness against him; to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defence.

15. In suits at common law, where the value in controversy

shall exceed twenty dollars, the right of trial by jury shall be preserved; and no fact tried by a jury shall be otherwise re-examined in any court of the Confederacy, than according to the rules of the common law.

16. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted.

17. The enumeration, in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

18. The powers not delegated to the Confederacy by the Constitution, nor prohibited by it to the State, are reserved to the States respectively, or to the people.

19. The judicial power of the Confederacy shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the States of the Confederacy, by citizens of another State, or by citizens or subjects of any foreign State.

#### SECTION 8.

1. No State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make any thing but gold and silver coin a tender in payment of debts; pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts; or grant any title of nobility.

2. No State shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the nett produce of all duties and imposts, laid by any State on imports or exports, shall be for the use of the treasury of the Confederacy, and all such laws shall be subject to the revision and control of the Congress. No State, shall, without the consent of Congress, lay any duty of tonnage, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

### ARTICLE II.

#### SECTION 1.

1. The Executive power shall be vested in a President of the Confederate States of America. He, together with the Vice President, shall hold his office for one year, or until this Provis-

ional Government shall be superseded by a Permanent Government, whichever shall first occur.

2. The President and Vice President shall be elected by ballot by the States represented in this Congress, each State casting one vote and a majority of the whole being requisite to elect.

3. No person except a natural born citizen, or a citizen of one of the States of this Confederacy at the time of the adoption of this Constitution, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained the age of thirty-five years and been fourteen years a resident of one of the States of this Confederacy.

4. In case of the removal of the President from office or of his death, resignation or inability to discharge the powers and duties of the said office, (which inability shall be determined by a vote of two-thirds of the Congress,) the same shall devolve on the Vice President; and the Congress may by law provide for the case of removal, death, resignation, or inability, both of the President and Vice President, declaring what officer shall then act as President; and such officer shall act accordingly, until the disability be removed or a President shall be elected.

5. The President shall at stated times receive for his services, during the period of the Provisional Government, a compensation at the rate of twenty-five thousand dollars per annum; and he shall not receive during that period any other emolument from this Confederacy, or any of the States thereof.

6. Before he enters on the execution of his office, he shall take the following oath or affirmation:

I do solemnly swear (or affirm) that I will faithfully execute the office of President of the Confederate States of America, and will, to the best of my ability, preserve, protect, and defend the Constitution thereof.

## SECTION 2.

1. The President shall be Commander-in-Chief of the Army and Navy of the Confederacy, and of the Militia of the several States, when called into the actual service of the Confederacy; he may require the opinion, in writing, of the principal officer in each of the Executive Departments, upon any subject relating to the duties of their respective offices; and he shall have pow-

er to grant reprieves and pardons for offences against the Confederacy, except in cases of impeachment.

2. He shall have power, by and with the advice and consent of the Congress, to make treaties; provided two-thirds of the Congress concur: and he shall nominate, and by and with the advice and consent of the Congress shall appoint ambassadors, other public ministers and consuls, judges of the court, and all other officers of the Confederacy whose appointments are not herein otherwise provided for. and which shall be established by law. But the Congress may, by law, vest the appointment of such inferior officers as they think proper in the President alone, in the courts of law, or in the heads of departments.

3. The President shall have power to fill up all vacancies that may happen during the recess of the Congress, by granting commissions which shall expire at the end of their next session.

### SECTION 3.

1. He shall, from time to time, give to the Congress information of the state of the Confederacy and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene the Congress at such times as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed; and shall commission all the officers of the Confederacy.

2. The President, Vice President, and all civil officers of the Confederacy shall be removed from office on conviction by the Congress of treason, bribery, or other high crimes and misdemeanors: a vote of two-thirds shall be necessary for such conviction.

## ARTICLE III.

### SECTION 1.

1. The judicial power of the Confederacy shall be vested in one Supreme Court, and in such inferior courts as are herein directed or as the Congress may from time to time ordain and establish.

2. Each State shall constitute a District in which there shall be a court called a District Court, which, until otherwise provided by the Congress, shall have the jurisdiction vested by the



laws of the United States, as far as applicable, in both the District and Circuit Courts of the United States, for that State; the Judge whereof shall be appointed by the President, by and with the advice and consent of the Congress, and shall, until otherwise provided by the Congress, exercise the power and authority vested by the laws of the United States in the Judges of the District and Circuit Courts of the United States, for that State, and shall appoint the times and places at which the courts shall be held. Appeals may be taken directly from the District Courts to the Supreme Court, under similar regulations to those which are provided in cases of appeal to the Supreme Court of the United States, or under such regulations as may be provided by the Congress. The commissions of all the judges shall expire with this Provisional Government.

3. The Supreme Court shall be constituted of all the District Judges, a majority of whom shall be a quorum, and shall sit at such times and places as the Congress shall appoint.

4. The Congress shall have power to make laws for the transfer of any causes which were pending in the courts of the United States, to the courts of the Confederacy, and for the execution of the orders, decrees, and judgments heretofore rendered by the said courts of the United States; and also all laws which may be requisite to protect the parties to all such suits, orders, judgments, or decrees, their heirs, personal representatives, or assignees.

## SECTION 2.

1. The judicial power shall extend to all cases of law and equity, arising under this Constitution, the laws of the United States and of this Confederacy, and treaties made, or which shall be made, under its authority; to all cases affecting ambassadors, other public ministers and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the Confederacy shall be a party; controversies between two or more States; between citizens of different States; between citizens of the same State claiming lands under grants of different States.

2. In all cases affecting ambassadors, other public ministers and consuls, and those in which a State shall be a party, the supreme court shall have original jurisdiction. In all the other cases before mentioned, the supreme court shall have appellate

jurisdiction both as to law and fact, with such exceptions and under such regulations as the Congress shall make.

3. The trial of all crimes except in cases of impeachment, shall be by jury, and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

#### SECTION 3.

1. Treason against this Confederacy shall consist only in levying war against it, or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

2. The Congress shall have power to declare the punishment of treason; but no attainder of treason shall work corruption of blood, or forfeiture, except during the life of the person attainted.

### ARTICLE IV.

#### SECTION 1.

1. Full faith and credit shall be given in each State to the public acts, records, and judicial proceedings of every other State. And the Congress may, by general laws, prescribe the manner in which such acts, records, and proceedings shall be proved and the effect of such proof.

#### SECTION 2.

1. The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

2. A person charged in any State with treason, felony, or other crime, who shall flee from justice, and be found in another State, shall, on demand of the executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.

3. A slave in one State, escaping to another, shall be delivered up on claim of the party to whom said slave may belong by the executive authority of the State in which such slave shall be found, and in case of any abduction or forcible rescue, full compensation, including the value of the slave and all costs and

expenses, shall be made to the party, by the State in which such abduction or rescue shall take place.

### SECTION 3.

1. The Confederacy shall guaranty to every State in this union, a republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive, (when the legislature cannot be convened,) against domestic violence.

## ARTICLE V.

1. The Congress, by a vote of two-thirds, may, at any time, alter or amend this Constitution.

## ARTICLE VI.

1. This Constitution, and the laws of the Confederacy which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the Confederacy, shall be the supreme law of the land; and the judges in every State shall be bound thereby, any thing in the Constitution or laws of any State to the contrary notwithstanding.

2. The Government hereby instituted shall take immediate steps for the settlement of all matters between the States forming it, and their other late confederates of the United States in relation to the public property and public debt at the time of their withdrawal from them; these States hereby declaring it to be their wish and earnest desire to adjust everything pertaining to the common property, common liability and common obligations of that union, upon the principles of right, justice, equity, and good faith.

3. Until otherwise provided by the Congress, the city of Montgomery, in the State of Alabama, shall be the seat of Government.

4. The members of the Congress and all executive and judicial officers of the Confederacy shall be bound by oath or affirmation to support this Constitution; but no religious test shall be required as a qualification to any office or public trust under this Confederacy.



# CONSTITUTION

## OF THE

### CONFEDERATE STATES OF AMERICA.

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We, the people of the Confederate States, each state acting in its sovereign and independent character, in order to form a permanent federal government, establish justice, insure domestic tranquility and secure the blessings of liberty to ourselves and our posterity—invoking the favor and guidance of Almighty God—do ordain and establish this constitution for the Confederate States of America.

#### ARTICLE I.

##### SECTION 1.

All legislative powers herein delegated shall be vested in a Congress of the Confederate States, which shall consist of a Senate and House of Representatives.

##### SECTION 2.

1. The House of Representatives shall be composed of members chosen every second year by the people of the several states; and the electors in each state shall be citizens of the Confederate States, and have the qualifications requisite for electors of the most numerous branch of the state legislature; but no person of foreign birth, not a citizen of the Confederate States, shall be allowed to vote for any officer, civil or political, state or federal.

2. No person shall be a Representative who shall not have attained the age of twenty-five years, and be a citizen of the Confederate States, and who shall not, when elected, be an inhabitant of that state in which he shall be chosen.

3. Representatives and Direct Taxes shall be apportioned among the several states, which may be included within this Confederacy, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all slaves. The actual enumeration shall be made within three years after the first meeting of the Congress of the Confederate States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of Representatives shall not exceed one for every fifty thousand, but each state shall have at least one Representative; and until such enumeration shall be made, the state of South Carolina shall be entitled to choose six—the state of Georgia ten—the state of Alabama nine—the state of Florida two—the state of Mississippi seven—the state of Louisiana six, and the state of Texas six.

4. When vacancies happen in the representation from any state, the Executive authority thereof shall issue writs of election to fill such vacancies.

5. The House of Representatives shall choose their speaker and other officers; and shall have the sole power of impeachment; except that any judicial or other federal officer, resident and acting solely within the limits of any state, may be impeached by a vote of two-thirds of both branches of the legislature thereof.

### SECTION 3.

1. The Senate of the Confederate States shall be composed of two Senators from each state, chosen for six years by the legislature thereof, at the regular session next immediately preceding the commencement of the term of service; and each Senator shall have one vote.

2. Immediately after they shall be assembled, in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year; of the second class at the expiration of the fourth year; and of the third class at the expiration of the sixth year; so that one-third may be chosen every second year; and if vacancies happen by resignation, or otherwise, during the recess of the legislature of any state, the executive thereof may make temporary appoint.

ments until the next meeting of the Legislature which shall then fill such vacancies.

3. No person shall be a Senator who shall not have attained the age of thirty years, and be a citizen of the Confederate States; and who shall not, when elected, be an inhabitant of the state for which he shall be chosen.

4. The Vice President of the Confederate States shall be President of the Senate, but shall have no vote, unless they be equally divided.

5. The Senate shall choose their other officers; and also a President *pro tempore* in the absence of the Vice President, or when he shall exercise the office of President of the Confederate States.

6. The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the Confederate States is tried, the Chief Justice shall preside; and no person shall be convicted without the concurrence of two-thirds of the members present.

7. Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust or profit, under the Confederate States; but the party convicted shall, nevertheless, be liable and subject to indictment, trial, judgment and punishment according to law.

#### SECTION 4.

1. The times, place and manner of holding elections for Senators and Representatives, shall be prescribed in each state by the legislature thereof, subject to the provisions of this Constitution; but the Congress may, at any time, by law, make or alter such regulations, except as to the times and places of choosing Senators.

2. The Congress shall assemble at least once in every year; and such meeting shall be on the first Monday in December, unless they shall, by law, appoint a different day.

#### SECTION 5.

1. Each House shall be the judge of the elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel

the attendance of absent members, in such manner and under such penalties as each House may provide.

2. Each House may determine the rules of its proceedings, punish its members for disorderly behavior, and with the concurrence of two-thirds of the whole number expel a member.

3. Each House shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and nays of the members of either House, on any question, shall, at the desire of one-fifth of those present, be entered on the journal.

4. Neither House, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting.

#### SECTION 6.

1. The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the Confederate States. They shall, in all cases, except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective Houses, and in going to and returning from the same; and for any speech or debate in either House, they shall not be questioned in any other place.

2. No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the Confederate States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the Confederate States shall be a member of either House during his continuance in office. But Congress may, by law, grant to the principal officer in each of the Executive Departments a seat upon the floor of either House, with the privilege of discussing any measures appertaining to his department.

#### SECTION 7.

1. All bills for raising the revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments, as on other bills.

2. Every bill which shall have passed both Houses, shall, before it becomes a law, be presented to the President of the Confederate States; if he approve, he shall sign it; but if not, he



shall return it, with his objections, to that House in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two-thirds of that House, it shall become a law. But in all such cases, the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each House respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress, by their adjournment, prevent its return; in which case it shall not be a law. The President may approve any appropriation and disapprove any other appropriation in the same bill. In such case he shall, in signing the bill, designate the appropriations disapproved; and shall return a copy of such appropriations, with his objections, to the House in which the bill shall have originated; and the same proceedings shall then be had as in case of other bills disapproved by the President.

3. Every order, resolution or vote, to which the concurrence of both Houses may be necessary, (except on a question of adjournment,) shall be presented to the President of the Confederate States; and before the same shall take effect, shall be approved by him; or being disapproved, shall be re-passed by two-thirds of both Houses, according to the rules and limitations prescribed in case of a bill.

#### SECTION 8.

The Congress shall have power—

1. To lay and collect taxes, duties, imposts, and excises, for revenue necessary to pay the debts, provide for the common defence, and carry on the government of the Confederate States; but no bounties shall be granted from the treasury; nor shall any duties or taxes on importations from foreign nations be laid to promote or foster any branch of industry; and all duties, imposts, and excises shall be uniform throughout the Confederate States:

2. To borrow money on the credit of the Confederate States:

3. To regulate commerce with foreign nations, and among the several States, and with the Indian tribes; but neither this, nor any other clause contained in the constitution, shall ever be construed to delegate the power to Congress to appropriate money for any internal improvement intended to facilitate commerce; except for the purpose of furnishing lights, beacons, and buoys, and other aid to navigation upon the coasts, and the improvement of harbors and the removing of obstructions in river navigation, in all which cases, such duties shall be laid on the navigation facilitated thereby, as may be necessary to pay the costs and expenses thereof:

4. To establish uniform laws of naturalization, and uniform laws on the subject of bankruptcies, throughout the Confederate States; but no law of Congress shall discharge any debt contracted before the passage of the same:

5. To coin money, regulate the value thereof and of foreign coin, and fix the standard of weights and measures:

6. To provide for the punishment of counterfeiting the securities and current coin of the Confederate States:

7. To establish post-offices and post-routes; but the expenses of the Post-office Department, after the first day of March in the year of our Lord eighteen hundred and sixty-three, shall be paid out of its own revenues:

8. To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries:

9. To constitute tribunals inferior to the Supreme Court:

10. To define and punish piracies and felonies committed on the high seas, and offences against the law of nations:

11. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and on water:

12. To raise and support armies; but no appropriation of money to that use shall be for a longer term than two years:

13. To provide and maintain a navy:

14. To make rules for the government and regulation of the land and naval forces:

15. To provide for calling forth the militia to execute the laws of the Confederate States, suppress insurrections, and repel invasions:

16. To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employ-

ed in the service of the Confederate States; reserving to the States, respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress:

17. To exercise exclusive legislation, in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of one or more States and the acceptance of Congress, become the seat of the government of the Confederate States; and to exercise like authority over places purchased by the consent of the legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings: and

18. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the Confederate States, or in any department or officer thereof.

#### SECTION 9.

1. The importation of negroes of the African race, from any foreign country other than the slaveholding States or Territories of the United States of America, is hereby forbidden; and Congress is required to pass such laws as shall effectually prevent the same.

2. Congress shall also have power to prohibit the introduction of slaves from any State not a member of, or Territory not belonging to, this Confederacy.

3. The privilege of the writ of habeas corpus shall not be suspended, unless when in case of rebellion or invasion the public safety may require it.


4. No bill of attainder, *ex post facto* law, or law denying or impairing the right of property in negro slaves shall be passed.

5. No capitation or other direct tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken.

6. No tax or duty shall be laid on articles exported from any State, except by a vote of two-thirds of both Houses.

7. No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another.

8. No money shall be drawn from the treasury, but in consequence of appropriations made by law; and a regular statement



and account of the receipts and expenditures of all public money shall be published from time to time.

9. Congress shall appropriate no money from the treasury except by a vote of two-thirds of both Houses, taken by yeas and nays, unless it be asked and estimated for by some one of the heads of departments, and submitted to Congress by the President; or for the purpose of paying its own expenses and contingencies; or for the payment of claims against the Confederate States, the justice of which shall have been judicially declared by a tribunal for the investigation of claims against the government, which it is hereby made the duty of Congress to establish.

10. All bills appropriating money shall specify in federal currency the exact amount of each appropriation and the purposes for which it is made; and Congress shall grant no extra compensation to any public contractor, officer, agent or servant, after such contract shall have been made or such service rendered.

11. No title of nobility shall be granted by the Confederate States; and no person holding any office of profit or trust under them, shall, without the consent of the Congress, accept of any present, emolument, office or title of any kind whatever, from any king, prince, or foreign State.

12. Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble and petition the government for a redress of grievances.

13. A well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed.

14. No soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war, but in a manner to be prescribed by law.

15. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated; and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

16. No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor be compelled in any criminal case, to be a witness against himself; nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

17. In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witness against him; to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defence.

18. In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved; and no fact so tried by a jury shall be otherwise re-examined in any court of the Confederacy, than according to the rules of the common law.

19. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted.

20. Every law, or resolution having the force of law, shall relate to but one subject, and that shall be expressed in the title.

#### SECTION 10.

1. No State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; make any thing but gold and silver coin a tender in payment of debts; pass any bill of attainder, or *ex post facto* law, or law impairing the obligation of contracts; or grant any title of nobility.

2. No State shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the nett produce of all duties and imposts, laid by any State on imports or exports, shall be for the use of the treasury of the Confederate States, and all such laws shall be subject to the revision and control of Congress.

3. No State shall, without the consent of Congress, lay any duty on tonnage, except on sea-going vessels, for the improvement of its rivers and harbors navigated by the said vessels; but such duties shall not conflict with any treaties of the Confederate States with foreign nations; and any surplus revenue, thus derived, shall, after making such improvement, be paid into the common treasury. Nor shall any State keep troops or ships of war in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay. But when any river divides or flows through two or more States, they may enter into compacts with each other to improve the navigation thereof.

## ARTICLE II.

### SECTION 1.

1. The executive power shall be vested in a President of the Confederate States of America. He and the Vice President shall hold their offices for the term of six years; but the President shall not be re-eligible. The President and Vice President shall be elected as follows :

2. Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress; but no Senator or Representative, or person holding an office of trust or profit under the Confederate States, shall be appointed an elector.

3. The electors shall meet in their respective States and vote by ballot for President and Vice President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice President, and of the number of votes for each, which lists they shall sign and certify, and transmit, sealed, to the seat of the government of the Confederate States, directed to the President of the Senate; the President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted; the person having the greatest number of votes for President shall be the President,

if such number be a majority of the whole number of electors appointed; and if no person have such majority, then, from the persons having the highest numbers, not exceeding three, on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by States—the representation from each State having one vote. A quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President, whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice President shall act as President, as in case of the death, or other constitutional disability of the President.

4. The person having the greatest number of votes as Vice President, shall be the Vice President, if such number be a majority of the whole number of electors appointed; and if no person have a majority, then, from the two highest numbers on the list, the Senate shall choose the Vice-President. A quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice.

5. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice President of the Confederate States.

6. The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the Confederate States.

7. No person except a natural born citizen of the Confederate States, or a citizen thereof at the time of the adoption of this Constitution, or a citizen thereof born in the United States prior to the 20th of December, 1860, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained the age of thirty-five years, and been fourteen years a resident within the limits of the Confederate States, as they may exist at the time of his election.

8. In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice President; and the Congress may, by law, provide for the case of removal, death, resignation, or inability, both of the

President and Vice President, declaring what officer shall then act as President; and such officer shall act accordingly, until the disability be removed or a President shall be elected.

9. The President shall, at stated times, receive for his services a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected; and he shall not receive within that period any other emolument from the Confederate States, or any of them.

10. Before he enters on the execution of his office, he shall take the following oath or affirmation:

"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the Confederate States of America, and will, to the best of my ability, preserve, protect, and defend the Constitution thereof."

## SECTION 2.

1. The President shall be commander-in-chief of the army and navy of the Confederate States, and of the militia of the several States, when called into the actual service of the Confederate States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices; and he shall have power to grant reprieves and pardons for offences against the Confederacy, except in cases of impeachment.

2. He shall have power, by and with the advice and consent of the Senate, to make treaties; provided two-thirds of the Senators present concur: and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the Confederate States whose appointments are not herein otherwise provided for, and which shall be established by law. But the Congress may, by law, vest the appointment of such inferior officers, as they think proper, in the President alone, in the courts of law, or in the heads of departments.

3. The principal officer in each of the executive departments, and all persons connected with the diplomatic service, may be removed from office at the pleasure of the President. All other civil officers of the executive departments may be removed at any time by the President, or other appointing power, when their services are unnecessary, or for dishonesty, incapacity, in-



efficiency, misconduct, or neglect of duty; and when so removed, the removal shall be reported to the Senate, together with the reasons therefor.

4. The President shall have power to fill all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session; but no person rejected by the Senate shall be re-appointed to the same office during their ensuing recess.

#### SECTION 3.

1. The President shall, from time to time, give to the Congress information of the state of the Confederacy, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both Houses, or either of them; and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the Confederate States.

#### SECTION 4.

1. The President, Vice President, and all civil officers of the Confederate States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

### ARTICLE III.

#### SECTION 1.

1. The judicial power of the Confederate States shall be vested in one Supreme Court, and in such inferior courts as the Congress may, from time to time, ordain and establish. The judges, both of the Supreme and inferior courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services a compensation which shall not be diminished during their continuance in office.

#### SECTION 2.

1. The judicial power shall extend to all cases arising under this Constitution, the laws of the Confederate States, and treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, other public ministers and consuls;

to all cases of admiralty and maritime jurisdiction; to controversies to which the Confederate States shall be a party; to controversies between two or more States; between a State and citizen of another State, where the State is plaintiff; between citizens claiming lands under grants of different States; and between a State or the citizens thereof, and foreign states, citizens or subjects; but no State shall be sued by a citizen or subject of any foreign state.

2. In all cases affecting ambassadors, other public ministers and consuls, and those in which a State shall be a party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction both as to law and fact, with such exceptions and under such regulations as the Congress shall make.

3. The trial of all crimes, except in cases of impeachment, shall be by jury, and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

#### SECTION 3.

1. Treason against the Confederate States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

2. The Congress shall have power to declare the punishment of treason; but no attainder of treason shall work corruption of blood, or forfeiture, except during the life of the person attainted.

### ARTICLE IV.

#### SECTION 1.

1. Full faith and credit shall be given in each State to the public acts, records, and judicial proceedings of every other State. And the Congress may, by general laws, prescribe the manner in which such acts, records, and proceedings shall be proved, and the effect thereof.

#### SECTION 2.

1. The citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States; and shall

have the right of transit and sojourn in any State of this Confederacy, with their slaves and other property; and the right of property in said slaves shall not be thereby impaired.

2. A person charged in any State with treason, felony, or other crime against the laws of such State, who shall flee from justice, and be found in another State, shall, on demand of the executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.

3. No slave or other person held to service or labor in any State or Territory of the Confederate States, under the laws thereof, escaping or lawfully carried into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor; but shall be delivered up on claim of the party to whom such slave belongs, or to whom such service or labor may be due.

### SECTION 3.

1. Other States may be admitted into this Confederacy by a vote of two-thirds of the whole House of Representatives and two-thirds of the Senate, the Senate voting by States; but no new State shall be formed or erected within the jurisdiction of any other State; nor any State be formed by the junction of two or more States, or parts of States, without the consent of the legislatures of the States concerned, as well as of the Congress.

2. The Congress shall have power to dispose of and make all needful rules and regulations concerning the property of the Confederate States, including the lands thereof.

3. The Confederate States may acquire new territory; and Congress shall have power to legislate and provide governments for the inhabitants of all territory belonging to the Confederate States, lying without the limits of the several States; and may permit them, at such times, and in such manner as it may by law provide, to form States to be admitted into the Confederacy. In all such territory, the institution of negro slavery, as it now exists in the Confederate States, shall be recognized and protected by Congress and by the territorial government: and the inhabitants of the several Confederate States and Territories shall have the right to take to such territory any slaves lawfully held by them in any of the States or Territories of the Confederate States.

4. The Confederate States shall guaranty to every State that now is, or hereafter may become, a member of this Confederacy, a republican form of government; and shall protect each of them against invasion; and on application of the legislature, (or of the executive, when the legislature is not in session,) against domestic violence.

## ARTICLE V.

### SECTION 1.

1. Upon the demand of any three States, legally assembled in their several conventions, the Congress shall summon a convention of all the States, to take into consideration such amendments to the Constitution as the said States shall concur in suggesting at the time when the said demand is made; and should any of the proposed amendments to the Constitution be agreed on by the said convention—voting by States—and the same be ratified by the legislatures of two-thirds of the several States, or by conventions in two-thirds thereof—as the one or the other mode of ratification may be proposed by the general convention—they shall thenceforward form a part of this Constitution. But no State shall, without its consent, be deprived of its equal representation in the Senate.

## ARTICLE VI.

1. The government established by this Constitution is the successor of the Provisional Government of the Confederate States of America, and all the laws passed by the latter shall continue in force until the same shall be repealed or modified; and all the officers appointed by the same shall remain in office until their successors are appointed and qualified, or the offices abolished.

2. All debts contracted and engagements entered into before the adoption of this Constitution shall be as valid against the Confederate States under this Constitution as under the Provisional Government.

3. This Constitution, and the laws of the Confederate States made in pursuance thereof, and all treaties made or which shall be made under the authority of the Confederate States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, any thing in the Constitution or laws of any State to the contrary notwithstanding.

4. The Senators and Representatives before mentioned, and the members of the several State legislatures, and all executive and judicial officers, both of the Confederate States and of the several States, shall be bound by oath or affirmation to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the Confederate States.

5. The enumeration, in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people of the several States.

6. The powers not delegated to the Confederate States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people thereof.

## ARTICLE VII.

1. The ratification of the convention of five States shall be sufficient for the establishment of this Constitution between the States so ratifying the same.

2. When five States shall have ratified this Constitution, in the manner before specified, the Congress under the Provisional Constitution shall prescribe the time for holding the election of President and Vice President, and for the meeting of the Electoral College, and for counting the votes, and inaugurating the President. They shall also prescribe the time for holding the first election of members of Congress under this Constitution, and the time for assembling the same. Until the assembling of such Congress, the Congress under the Provisional Constitution shall continue to exercise the legislative powers granted them; not extending beyond the time limited by the Constitution of the Provisional Government.

## EXTRACT FROM THE JOURNAL OF THE CONGRESS.

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CONGRESS, March 11, 1861.

On the question of the adoption of the Constitution of the Confederate States of America, the vote was taken by yeas and nays; and the Constitution was unanimously adopted, as follows:

Those who voted in the affirmative being Messrs. Walker, Smith, Curry, Hale, McRae, Shorter, and Fearn, of Alabama, (Messrs. Chilton and Lewis being absent); Messrs. Morton, Anderson, and Owens, of Florida; Messrs. Toombs, Howell Cobb, Bartow, Nisbet, Hill, Wright, Thomas R. R. Cobb, and Stephens, of Georgia, (Messrs. Crawford and Kenan being absent); Messrs. Perkins, de Clouet, Conrad, Kenner, Sparrow, and Marshall, of Louisiana; Messrs. Harris, Brooke, Wilson, Clayton, Barry, and Harrison, of Mississippi, (Mr. Campbell being absent); Messrs. Rhett, Barnwell, Keitt, Chesnut, Memminger, Miles, Withers, and Boyce, of South Carolina; Messrs. Reagan, Hemphill, Waul, Gregg, Oldham, and Ochiltree, of Texas, (Mr. Wigfall being absent).

A true copy:

J. J. HOOPER,  
Secretary of the Congress.

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CONGRESS, March 11, 1861.

I do hereby certify that the foregoing are, respectively, true and correct copies of "The Constitution of the Confederate States of America," unanimously adopted this day, and of the yeas and nays on the question of the adoption thereof.

HOWELL COBB,  
President of the Congress.

# Acts and Resolutions

OF THE

FIRST SESSION

OF THE

# PROVISIONAL CONGRESS

OF THE

# CONFEDERATE STATES.

---

1861.

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MONTGOMERY, ALA.:

BARRETT, WIMBISH & CO., PRINTERS AND BINDERS.

---

1861.





## ACTS AND RESOLUTIONS.

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No. 1]

### A RESOLUTION

To appoint Messrs. Reid & Shorter Printers to the Congress.

*Resolved*, That Messrs. Reid & Shorter be appointed printers to this Congress while it holds its sessions in Montgomery; and that all the work to be done, shall, in style and quality, equal that done for the State of Alabama, and shall be paid for at the same proportionate rates of compensation.

ADOPTED, February 5, 1861.

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No. 2.]

### A RESOLUTION

Accepting the Appropriation of Five Hundred Thousand Dollars, made by the General Assembly of the State of Alabama.

1st. *Resolved by the Confederate States of America in Congress assembled*, That this Congress accept the liberal offer of the General Assembly of the State of Alabama, to place at the disposal of this body the sum of five hundred thousand dollars as a loan to the government of the Confederacy now being formed.

2d. *Resolved by the authority aforesaid*, That this Congress place the highest appreciation upon this generous, patriotic, and considerate action of the State of Alabama, and realize in it the zealous devotion of the people of that state to the cause of "Southern Independence."

ADOPTED, February 8, 1861.

No. 3.]

## A RESOLUTION

For the preservation of the Records of Congress.

WHEREAS, It is necessary that the records of this Congress be placed in a condition of safety, and those pertaining to proceedings with closed doors in a condition of secrecy, therefore,

*Resolved by the Confederate States of America in Congress assembled,* That the President of Congress be, and he is hereby authorized and instructed to make proper provision for the purposes herein declared.

ADOPTED, February 8, 1861.

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No. 4.]

## A RESOLUTION

In regard to the State of North Carolina, and the Commissioners from said State to this Congress.

WHEREAS, The people of North Carolina and those of the States represented in this Congress, have a common history, a common sympathy, a common honor, and a common danger—and, whereas, it is the opinion and earnest desire of this Congress, that the State of North Carolina should be united in government with these states,

*Be it therefore resolved,* That this Congress receive with pleasure the Commissioners from the State of North Carolina, and hope to pursue such a course of action as shall commend itself to, and induce the State of North Carolina speedily to unite in our councils, and in such government as shall be formed by these states.

ADOPTED, February 8, 1861.

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No. 5.]

## AN ACT

To continue in force certain laws of the United States of America.

*Be it enacted by the Confederate States of America in Congress assembled,* That all the laws of the United States of America, in force and in use in the Confederate States of America on the first day of November last, and not inconsistent with

the Constitution of the Confederate States, be and the same are hereby continued in force until altered or repealed by the Congress.

ADOPTED, February 9, 1861.

No. 6.]

## A RESOLUTION

In relation to the occupation of the Forts and Arsenals, &c.

*Resolved by the Congress of the Confederate States of America,* That this government takes under its charge the questions and difficulties now existing between the several states of this Confederacy, and the government of the United States of America, relating to the occupation of forts, arsenals, navy yards, and other public establishments; and that the President of the Congress be directed to communicate this resolution to the several states of this Confederacy through the respective governors thereof.

ADOPTED, February 12, 1861.

No. 9.]

## A RESOLUTION

Authorizing the Secretary of Congress to arrange for Publication the Provisional Constitution for the Government of the Confederate States of America, with the Autograph Signatures of the Members of Congress, &c.

*Resolved by the Confederate States of America in Congress assembled,* That the Secretary of Congress be allowed to have engrossed and arranged for publication the Provisional Constitution for the Government of the Confederate States of America, with the autograph signatures of the members of Congress, and the flag and seal of the Confederacy, whenever adopted.

ADOPTED, February 14, 1861.

No. 11.]

## A RESOLUTION

To authorize the Judiciary Committee to have such matter printed as they may desire to lay before the Congress.

*Resolved by the Confederate States of America in Congress assembled,* That the Judiciary Committee be authorized to have such matter printed as they may desire to lay before the Congress.

ADOPTED, February 14, 1861.

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No. 12.]

## AN ACT

To continue in office the Officers connected with the Collection of the Customs in the Confederate States of America.

SECTION 1. *Be it enacted by the Confederate States of America in Congress assembled,* That the several officers who, at the time of the adoption of the Constitution of the Provisional Government of these states, held and exercised any office connected with the collection of the customs, duties and imports in the several states of this Confederacy, or as assistant treasurers entrusted with keeping the moneys arising therefrom, are hereby appointed to the several offices which at the said date they respectively held; and they shall have the same powers, be subject to the same duties, and be entitled to the same salaries, fees and emoluments as are set forth and provided in and by the laws of the United States of America, until the first day of April next: *Provided,* That the maximum of compensation which each collector shall receive from all sources shall not exceed the rate of five thousand dollars per annum.

SEC. 2. Each collector so appointed, shall within two weeks from the date of this act, execute to the Confederate States of America, a bond in the same amount and subject to a like condition with his last bond to the United States of America, with sureties to be approved by a judge of any superior or circuit court of the state where such collector is located. And each of the other officers shall within one week after the collector shall have entered upon the discharge of his duties, execute to the Confederate States of America, a bond in the same amount and subject to the like condition with his last bond to the United

States of America, in case he was required to execute a bond, with sureties to be approved by the collectorsof the port where such office is located.

SEC. 3. The said several officers shall take an oath before a magistrate, well and faithfully to discharge the duties of his office, and to support the constitution of the Provisional Government of the Confederate States of America, which said oath shall be endorsed upon the bond; and the bond shall be filed in the office of the Secretary of the Treasury, or in such other place as he may direct.

ADOPTED, February 14, 1861.

No. 13.]

### A RESOLUTION

To continue in office the Officers of the Customs.

*Resolved by the Confederate States of America in Congress assembled,* That until otherwise provided, the several officers connected with the collection of the customs, duties and imposts in the several states of this Confederacy, be and they are hereby confirmed and continued as officers of the government of the Confederate States of America, with their present salaries and emoluments, until the first day of April next; and that the Secretary of the Treasury be instructed to report to Congress a plan, to go into effect at the said date, whereby the expenses of collecting the revenue at each custom house shall be diminished at least fifty per cent.

ADOPTED, February 14, 1861.

No. 14.]

### A RESOLUTION

Giving certain powers to the Committee on Naval Affairs.

*Resolved by the Confederate States of America in Congress assembled,* That the committee on naval affairs be authorized to procure the attendance, at the seat of government, of all such persons versed in naval affairs as they may deem advisable to consult with in the preparation of their report.

ADOPTED, February 14, 1861.

No. 15.]

## A RESOLUTION

To provide for Printing for the Committees of the Congress.

*Resolved by the Confederate States of America in Congress assembled,* That each of the standing committees of Congress is authorized to cause to be printed any matters which it may deem requisite for the use of the committee.

ADOPTED, February 15, 1861.

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No. 17.]

## A RESOLUTION

For the appointment of Commissioners to the Government of the United States of America.

*Resolved by the Confederate States of America in Congress assembled,* That it is the sense of this Congress, that a commission of three persons be appointed by the President elect as early as may be convenient after his inauguration, and sent to the government of the United States of America, for the purpose of negotiating friendly relations between that government and the Confederate States of America, and for the settlement of all questions of disagreement between the two governments upon principles of right, justice, equity, and good faith.

ADOPTED, February 15, 1861.

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No. 18.]

## A RESOLUTION

For the enforcement of the Revenue Laws.

*Resolved by the Confederate States of America in Congress assembled,* That the President of Congress instruct the collectors of the several ports of this Confederacy to enforce the existing revenue laws against all foreign countries, except the State of Texas.

ADOPTED, February 16, 1861.

No. 19.]

## A RESOLUTION

For the Relief of J. M. Walden, a citizen of Georgia.

*Resolved by the Confederate States of America in Congress assembled*, That J. M. Walden, a citizen of the State of Georgia, be and he is hereby authorized to file with the attorney-general, a caveat, accompanied by suitable drawings and explanations, setting forth the design and purpose thereof, for the protection of an improvement claimed to have been made by him in railroad switches, and that said caveat, when so filed as aforesaid, shall be effectual to protect his rights to said invention, until a patent office shall have been established: *Provided*, That as soon as said office is established, said caveat shall be filed with the commissioner thereof, and such proceedings had thereon, as may be authorized by law.

ADOPTED, February 16, 1861.

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No. 20.]

## AN ACT

To exempt from Duty certain commodities therein named and for other purposes.

SECTION 1. *Be it enacted by the Confederate States of America in Congress assembled*, That the following articles shall be exempt from duty and admitted free into said states, to-wit: Bacon, pork, hams, lard, beef, fish of all kinds, wheat, and flour of wheat, and flour of all other grains; Indian corn and meal; barley and barley flour; rye and rye flour; oats and oat meal; gunpowder, and all the materials of which it is made; lead in all forms; arms of every description, and munitions of war and military accoutrements; percussion caps; living animals of all kinds; also, all agricultural products in their natural state.

SEC. 2. *And be it further enacted*, That all goods, wares and merchandise imported from any one of the late United States of America, not being now a member of this Confederacy, into this Confederacy before the fourth day of March next, which may have been *bona fide* purchased heretofore, or within ten days after the passage of this act, shall be exempt and free from duty.

SEC. 3. *And be it further enacted*, That the State of Texas be and is hereby exempted from the operation of the tariff laws heretofore passed and adopted by this Congress.

ADOPTED, February 18, 1861.

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No. 21.]

## AN ACT

To Provide Munitions of War and for other purposes.

SECTION 1. *Be it enacted by the Confederate States of America in Congress assembled*, That the President, or the Secretary of War, under his direction, is hereby authorized and empowered to make contracts for the purchase and manufacture of heavy ordnance and small arms; and of machinery for the manufacture or alteration of small arms and munitions of war; and to employ the necessary agents and artisans for these purposes; and to make contracts for the establishment of powder mills and the manufacture of powder; and the President is authorized to make contracts provided for in this act, in such manner and on such terms as in his judgment the public exigencies may require.

APPROVED, February 20, 1861.

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No. 22.]

## AN ACT

To authorize the President to appoint a Private Secretary.

SECTION 1. *Be it enacted by the Confederate States of America in Congress assembled and it is hereby enacted by the authority of the same*, That the President of the Confederate States of America be and he is hereby authorized to appoint a private secretary, through whom he may communicate with Congress, and who shall discharge such duties as may be assigned him by the President, and shall receive such compensation for his services as shall be fixed by law.

APPROVED, February 20, 1861.



No. 23.]

## AN ACT

To determine the Salaries of the Vice President and of the Heads of the Departments.

*The Congress of the Confederate States of America do enact,* That the annual compensation of the Vice President, and of the Secretaries of State, of the Treasury, of War, of the Navy, the Postmaster General, and the Attorney General, shall be at the rate of six thousand dollars, payable quarterly, in advance.

APPROVED, February 21, 1861.

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No. 24.]

## AN ACT

To organize the Department of State.

SECTION 1. *The Congress of the Confederate States of America do enact,* That there shall be an executive department to be denominated the Department of State; and there shall be a principal officer therein to be called the Secretary of State, who shall perform and execute such duties as shall, from time to time, be enjoined on or entrusted to him by the President of the Confederate States, agreeably to the Constitution, relative to correspondences, commissions or instructions to or with public ministers or consuls from the Confederate States, or to negotiations with public ministers from foreign states, or princes, or to memorials or other applications from foreign public ministers, and other foreigners, or to such other matters respecting foreign affairs as the President of the Confederate States shall assign to the said department; and furthermore the said principal officer shall conduct the business of the said department in such manner as the President of the Confederate States shall from time to time order or instruct. Said secretary shall be appointed by the President, by and with the advice and consent of the Congress, and shall receive a compensation to be ascertained and regulated by law.

SEC. 2. *Be it further enacted,* It shall be the duty of the Secretary of State to keep and preserve all bills and resolutions of the Congress having been approved or signed by the President or otherwise become laws, and he shall carefully preserve the originals, and shall, as soon as conveniently may be after he shall

receive the same, cause every such law, order and resolution to be published in at least three public newspapers, published within the Confederate States, and shall also cause two printed copies, duly authenticated, to be sent to the executive authority of each state. It shall be the duty of the Secretary to keep the great seal of the Confederate States, and to make out and record and affix said seal to all civil commissions to officers of the Confederate States, to be appointed by the President, by and with the advice of the Congress, or by the President alone: *Provided*, That said seal shall not be affixed to any commission before it is signed by the President, nor to any other instrument or act without the special warrant of the President therefor. The said secretary shall also cause a seal of office to be made for said department, of such device as the President shall approve, and all copies of records and papers in said office, authenticated under the said seal, shall be evidence equally as the original record or paper.

SEC. 3. *Be it further enacted*, That there shall be in the said department a chief clerk to be appointed by the secretary, and such other clerks as from time to time may be found necessary, and authorized by the Congress, who shall receive a compensation for their services to be fixed by law; and the Secretary of State and every other person to be appointed or employed in said department shall, before he enters on the execution of his office or employment, take an oath or affirmation well and faithfully to execute the trust committed to him.

SEC. 4. *Be it further enacted*, There shall be paid to the Secretary, for the use of the Confederate States, the following fees of office by the persons requiring the services to be performed, except when they are performed for any officer of the Confederate States in a matter relating to the duties of his office, to-wit: for making out and authenticating copies of records, ten cents for each hundred words; for authenticating a copy of a record or paper, under the seal of office, one dollar.

SEC. 5. *And be it further enacted*, This act shall be in force and take effect from and after its passage.

APPROVED, February 21, 1861.

## To establish the Treasury Department.

SECTION 1. *The Congress of the Confederate States of America do enact*, That there shall be an executive department known as the Department of Treasury, in which shall be the following officers, namely: A Secretary of the Treasury, to be deemed the head of the department; a Comptroller, an Auditor, a Register, a Treasurer, and an Assistant to the Secretary of the Treasury, which assistant shall be appointed by the said secretary; all of which officers shall receive such salaries respectively as may be provided by law.

SEC. 2. *And be it further enacted*, That it shall be the duty of the secretary of the treasury to superintend the collection of the public revenue; to digest and prepare plans for the improvement and management thereof, and for the support of the public credit; to prepare and report estimates of the public revenue and the public expenditures; to decide on the forms of keeping and stating accounts and making returns, and to grant, under the limitations herein established or to be hereafter provided, all warrants for moneys to be paid into the treasury, and all warrants for moneys to be issued from the treasury in pursuance of appropriations by law; to execute such services relative to the sale of the public property belonging to the Confederate States as by law may be required of him; to make reports and give information to the Congress or the President—in person or in writing, as may be required—concerning all matters referred to him by the Congress or the President respectively, and which shall appertain to his office; and generally to perform all such services relative to the finances, and all such other duties, as he may by law be directed to perform.

SEC. 3. *And be it further enacted*, That the secretary of the treasury shall have power to appoint a chief clerk, and also such other clerks, from time to time, as he may deem necessary, and Congress may authorize by law, which officers shall respectively receive such compensation as may be provided by law.

SEC. 4. *And be it further enacted*, That the secretary of the treasury shall cause to be procured an official seal for the department of treasury, to be approved by the President; and copies of all official papers or records in said department, certi-

fied under the seal thereof, shall be received in evidence in all the courts of the Confederate States, in lieu of such original papers or records.

SEC. 5. *And be it further enacted*, That it shall be the duty of the assistant secretary of the treasury to examine all letters, contracts and warrants prepared for the signature of the secretary of the treasury, and perform all such other duties as may be devolved on him by law or by the secretary of the treasury.

SEC. 6. *And be it further enacted*, That it shall be the duty of the comptroller to superintend the adjustment and preservation of the public accounts; to examine all accounts settled by the auditor, and certify the balances arising thereon to the register; to countersign all warrants drawn by the secretary of the treasury which shall be authorized by law; to report to the secretary the official forms of all papers to be issued in the different offices for collecting the public revenue, and the manner and form of keeping and stating the accounts of the several persons employed therein. He shall moreover provide for the regular and punctual payment of all moneys which may be collected, and shall direct prosecutions for all delinquencies of officers of the revenue, and for debts that are or shall be due to the Confederate States.

SEC. 7. *And be it further enacted*, That it shall be the duty of the auditor to receive all public accounts, and after examination to certify the balance and transmit the accounts, with the vouchers and certificate, to the comptroller for his decision thereon: *Provided*, That if any person whose account shall be so audited be dissatisfied therewith, he may appeal to the comptroller against such settlement.

SEC. 8. *And be it further enacted*, That the auditor of the public accounts shall be empowered to administer oaths or affirmations to witnesses in any case in which he may deem it necessary or proper for the due examination of the accounts with which he may be charged.

SEC. 9. *And be it further enacted*, That it shall be the duty of the register to keep all accounts of the receipts and expenditures of the public money, and of all debts due to or from the Confederate States; to receive from the comptroller the accounts which shall have been finally adjusted, and to preserve such accounts, with their vouchers and certificates; to record all warrants for the receipt or payment of moneys at the treasury,

certify the same thereon, and to transmit to the secretary of the treasury copies of the certificates of balances of accounts adjusted as herein directed.

SEC. 10. *And be it further enacted*, That it shall be the duty of the treasurer to receive and keep the moneys of the Confederate States, and to disburse the same upon warrants drawn by the secretary of the treasury, countersigned by the comptroller, and recorded by the register, and not otherwise; he shall take receipts for all moneys paid by him, and all receipts for moneys received by him shall be endorsed upon warrants signed by the secretary of the treasury, without which warrant, so signed, no acknowledgment for money received into the public treasury shall be valid. And the said treasurer shall render his accounts to the comptroller quarterly, or oftener if required, and shall transmit a copy thereof, when settled, to the secretary of the treasury. He shall, at all times, submit to the secretary of the treasury and the comptroller, or either of them, the inspection of the books and records in his office, and of all moneys in his hands; and shall, prior to entering upon the duties of his office, give bond, with good and sufficient sureties, to be approved by the secretary of the treasury and comptroller, in the sum of one hundred and fifty thousand dollars, payable to the Confederate States of America, with condition for the faithful performance of the duties of his office, and for the fidelity of the persons to be by him employed, which bond shall be lodged in the office of the comptroller.

SEC. 11. *And be it further enacted*, That no person appointed to any office instituted by this act, shall directly or indirectly be concerned or interested as owner in whole or in part of any sea-vessel, or purchase by himself, or another in trust for him, any public property or forfeited goods, or be concerned in the purchase or disposal of any public securities of any state or of the Confederate States, or take or apply to his own use any emolument or gain for negotiating or transacting any business in the said department, other than what shall be allowed by law; and if any person shall offend against any of the prohibitions of this act, he shall be guilty of a high misdemeanor, and forfeit to the Confederate States the penalty of three thousand dollars, and shall upon conviction be removed from office, and forever thereafter be incapable of holding any office under the Confederate States: *Provided*, That if any other person than a public pros-

ceutor shall give information of any such offence, upon which a prosecution and conviction shall be had, one-half of the afore-said penalty of three thousand dollars, when recovered, shall be for the use of the person giving such information.

APPROVED, February 21, 1861.

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No. 26.]

## AN ACT

To establish the War Department.

SECTION 1. *The Congress of the Confederate States of America do enact*, That an executive department be and the same is hereby established, under the name of the War Department, the chief officer of which shall be called the Secretary of War.

SEC. 2. *Be it further enacted*, That said secretary shall, under the direction and control of the the President, have charge of all matters and things connected with the army, and with the Indian tribes within the limits of the Confederacy, and shall perform such duties appertaining to the army, and to said Indian tribes, as may from time to time be assigned to him by the President.

SEC. 3. *And be it further enacted*, That the secretary of said department is hereby authorized to appoint a chief clerk thereof, and as many inferior clerks as may be found necessary, and may be authorized by law.

APPROVED, February 21, 1861.

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No. 27.]

## AN ACT

To establish the Navy Department.

SECTION 1. *The Congress of the Confederate States of America do enact*, That an executive department be and the same is hereby established to be called the Navy Department.

SEC. 2. *Be it further enacted*, That the chief officer of said department shall be called the Secretary of the Navy, and shall, under the direction and control of the President, have charge of all matters and things connected with the navy of the Confederacy, and shall perform all such duties appertaining to

the navy as shall from time to time be assigned to him by the President.

SEC. 3. *Be it further enacted*, That said Secretary shall be authorized to appoint a chief clerk, and such other clerks as may be found necessary, and be authorized by law.

APPROVED, February 21, 1861.

No. 28.]

## AN ACT

To establish the Post-Office Department.

*The Congress of the Confederate States of America do enact*, That there shall be an executive department, to be denominated the Post-Office Department, and there shall be a principal officer therein, to be called the Postmaster General, who shall perform such duties in relation to post-offices and post routes, as shall be enjoined on him by the President of the Confederate States, agreeably to the constitution and the laws of the land, who shall be paid an annual salary to be fixed by law, and have power to appoint a chief clerk, and such inferior clerks as may be found necessary, who shall receive such compensation as may be fixed by law.

APPROVED, February 21, 1861.

No. 29.]

## AN ACT

To organize and establish an Executive Department, to be known as the Department of Justice.

SECTION 1. *The Congress of the Confederate States of America do enact*, That from and after the passage of this act, there shall be an executive department to be known as the Department of Justice. The principal officer at the head of said department shall be denominated the Attorney General, who shall be paid an annual salary to be fixed by law, and who shall have the power to appoint a clerk, at such compensation as may be fixed by law.

SEC. 2. It shall be the duty of the Attorney General to prosecute and conduct all suits in the Supreme Court, in which the Confederate States shall be concerned, and to give his advice

and opinion upon questions of law, when required by the President of the Confederate States, or when requested by any of the heads of departments, touching any matters that may concern their departments on subjects before them. He shall also have supervisory power over the accounts of the marshals, clerks, and officers of all the courts of the Confederate States, and all claims against the Confederate States.

APPROVED, February 21, 1861.

No. 30.]

## AN ACT

To prescribe the Rates of Postage in the Confederate States of America, and for other purposes.

SECTION 1. *The Congress of the Confederate States of America do enact*, That from and after such period as the Postmaster General may by proclamation announce, there shall be charged the following rates of postage, to-wit : For every single sealed letter, and for every letter in manuscript or paper of any kind, upon which information shall be asked for or communicated in writing or by marks or signs, conveyed in the mail for any distance between places within the Confederate States of America, not exceeding five hundred miles, five cents ; and for any distance exceeding five hundred miles, double that rate ; and every letter or parcel not exceeding half an ounce in weight shall be deemed a single letter, and every additional weight of half an ounce, or additional weight of less than half an ounce, shall be charged with an additional single postage ; and all packages containing other than printed or written matter—and money packages are included in this class—shall be rated by weight as letters are rated, and shall be charged double the rates of postage on letters ; and all drop letters, or letters placed in any post-office not for transmission but for delivery only, shall be charged with postage at the rate of two cents each ; and in all the foregoing cases the postage must be pre-paid by stamps ; and all letters which shall hereafter be advertised as remaining over or uncalled for in any postoffice shall be charged with two cents each in addition to the regular postage, both to be accounted for as other postages of this Confederacy.

SEC. 2. *And be it further enacted*, That all newspapers not exceeding three ounces in weight sent from the office of publi-



cation to actual and *bona fide* subscribers, shall be charged with postage as follows, to-wit: The postage on the regular numbers of a newspaper published weekly, within the state where published, shall be six and one-half cents per quarter; and papers published semi-weekly, double that rate; and papers published thrice a week, treble that rate; and papers published daily, six times that rate; and the postage on all newspapers to actual subscribers without the state where published shall be charged double the foregoing rates. And periodicals sent from the office of publication to actual and *bona fide* subscribers shall be charged with postage as follows, to-wit: The postage on the regular numbers of a periodical not exceeding one and a half ounces in weight, and published monthly, within the state where published, shall be three cents per quarter; if published semi-monthly, double that rate; and for every additional ounce or fraction of an ounce, double the foregoing rates shall be charged; and periodicals published quarterly or bi-monthly shall be charged one cent an ounce; and the postage on all periodicals without the state where published shall be double the above specified rates; and regular subscribers to newspapers and periodicals shall be required to pay one quarter's postage in advance. And there shall be charged upon every other newspaper, and each circular not sealed, handbill, engraving, pamphlet, periodical and magazine, which shall be unconnected with any manuscript or written matter, not exceeding three ounces in weight, two cents; and for each additional ounce or fraction of an ounce, two cents additional; and in all cases the postage shall be pre-paid by stamps. And books, bound or unbound, not weighing over four pounds, shall be deemed mailable matter, and shall be charged with postage, to be pre-paid by stamps, at two cents an ounce for any distance. The publishers of newspapers or periodicals may send to each other, from their respective offices of publication, free of postage, one copy of each publication.

SEC. 3. *And be it further enacted*, That it shall be the duty of the Postmaster General to provide and furnish to all deputy postmasters, and to all other persons applying and paying therefor, suitable postage stamps and stamped envelopes, of the denomination of two cents, five cents, and twenty cents, to facilitate the pre-payment of postages provided for in this act; and any person who shall forge or counterfeit any postage stamp

provided or furnished under the provisions of this or any former act, whether the same are impressed or printed on or attached to envelopes or not, or any die, plate, or engraving therefor, or shall make or print, or knowingly use or sell, or have in his possession with intent to use or sell, any such false, forged, or counterfeited die, plate, engraving, or postage stamp, or who shall make or print, or authorize or procure to be made or printed, any postage stamps of the kind provided and furnished by the Postmaster General as aforesaid, without the especial authority and direction of the Post-Office Department, or who, after such postage stamps have been printed, shall, with intent to defraud the revenues of the Post-Office Department, deliver any postage stamps to any person or persons other than such as shall be authorized to receive the same by an instrument of writing, duly executed under the hand of the Postmaster General and the seal of the Post-Office Department, shall, on conviction thereof, be deemed guilty of felony, and be punished by a fine not exceeding five hundred dollars, or by imprisonment not exceeding five years, or by both such fine and imprisonment; and the expenses of procuring and providing all such postage stamps and letter envelopes as are provided for or authorized by this act, shall be paid, after being adjusted by the Auditor of the Post-Office Department, on the certificate of the Postmaster General, out of any money in the treasury arising from the revenues of the Post-Office Department.

SEC. 4. *And be it further enacted*, That it shall be the duty of every postmaster to cause to be defaced, in such manner as the Postmaster General shall direct, all postage stamps of this Confederacy attached to letters deposited in his office for delivery, or to be sent by mail; and if any postmaster sending letters in the mail with such postage stamps attached shall omit to deface the same, it shall be the duty of the postmaster to whose office such letters shall be sent for delivery to deface the stamps and report the delinquent postmaster to the Postmaster General. And if any person shall use or attempt to use in pre-payment of postage any postage stamps which shall have been before used for like purposes, such person shall be subject to a penalty of fifty dollars for every such offence, to be recovered in the name of the Confederate States of America in any court of competent jurisdiction.

SEC. 5. *And be it further enacted*, That from and after the day when this act goes into effect the franking privilege shall be abolished: *Provided*, that the Postmaster General and his chief clerks and Auditor of the Treasury for the Post-Office Department shall be and they are hereby authorized to transmit through the mail, free of postage, any letters, packages, or other matters relating exclusively to their official duties or to the business of the Post-Office Department; but they shall, in every such case, indorse on the back of the letter or package to be sent free of postage, over their own signature, the words "Official Business." And for any such indorsement falsely made, the person so offending shall forfeit and pay three hundred dollars. *And provided further*, The several deputy postmasters throughout the Confederate States shall be and hereby are authorized to send through the mail, free of postage, all letters and packages which it may be their duty or they may have occasion to transmit to any person or place, and which shall relate exclusively to the business of their respective offices or to the business of the Postoffice Department; but in every such case the deputy postmaster sending any such letter or package shall indorse thereon, over his own signature, the words "Post-Office Business." And for any and every such indorsement falsely made, the person making the same shall forfeit and pay three hundred dollars.

SEC. 6. *And be it further enacted*, That the third section of an act entitled "An act further to amend an act entitled 'An act to reduce and modify the rates of postage in the United States, and for other purposes, passed March third, eighteen hundred and fifty-one,'" approved March 3d, 1855, whereby the letter registration system was established, be and is hereby repealed from and after the day when this act goes into effect.

SEC. 7. *Be it further enacted*, That no letters shall be carried by the express or other chartered companies, unless the same shall be pre-paid by being enclosed in a stamped envelope of this Confederacy; and any company violating the provisions of this act shall forfeit and pay the sum of five hundred dollars for each offence, to be recovered by action of debt in any court of this Confederacy having cognizance thereof, in the name and for the use of this Confederacy.

SEC. 8. *Be it further enacted*, That the Postmaster General of the Confederate States be and is hereby authorized to make all necessary arrangements for the transmission of mails

between the territories of this and other governments,\* subject to the approval of the President, until postal treaties can be effected.

APPROVED, February 23, 1861.

No 31.]

## AN ACT

For the Relief of William P. Barker.

SECTION 1. *The Congress of the Confederate States of America do enact*, That William P. Barker, a citizen of the State of Alabama, be authorized to file in the office of the Attorney-General a specification of an invention claimed to have been made by him, as an improvement in the mode of casting ordnance, and that the same shall, from this date, operate as a caveat, to protect his said invention until an application can be made for a patent according to law.

APPROVED, February 25, 1861.

No. 32.]

## A RESOLUTION

To provide an Executive Mansion.

*The Congress of the Confederate States of America do resolve*, That the committee to arrange for government buildings be authorized to lease a furnished mansion for the residence of the President of the Confederate States.

APPROVED, February 25, 1861.

No. 33.]

## AN ACT

In relation to Public Printing.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the Secretary of Congress shall, after each session, prepare for publication fair copies of all the acts passed by Congress, and resolutions of a public nature intended to have the effect of laws, together with the Constitutions for a Provisional and Permanent Government of this Confederacy, adopted by this Congress.

SEC. 2. The acts shall be arranged under appropriate titles, shall have marginal notes to each section, and be fully indexed.

SEC. 3. The secretary shall also prepare for publication copies of the public journal of the proceedings of this Congress, and a full index for the same.

SEC. 4. The acts and journals, when prepared, shall be delivered to the public printers, who shall, without delay, publish three thousand copies of each, in a style equal in execution, and upon paper of the same quality in every respect, as the laws of the United States, as annually published by Messrs. Little & Brown.

SEC. 5. The acts of Congress thus published shall be bound by the public printers in a style not inferior to the acts of the General Assembly of the State of Alabama, for which service he shall receive the sum of twenty-five cents per copy.

SEC. 6. The public printers shall be entitled to receive as compensation for the publication of the laws and journal the following prices, viz :

For each page of the laws and journals, including press work, paper, pressing, folding and stitching, the sum of six dollars.

SEC. 7. For all job printing ordered by Congress the public printers shall receive the following compensation and no more, viz :

First: For bills, resolutions, and reports—For composition per page (foolscap) one dollar and seventy-five cents; for press work, folding and stitching one hundred copies, twenty-five cents per page, and *pro rata* for all copies over one hundred.

Second: For rules, constitutions and other pamphlets—For composition, per page, (octavo) in small pica, plain, one dollar; in small pica, rule, one dollar and fifty cents; for brevier, plain, one dollar and fifty cents; for brevier, rule, two dollars; for rule and figure work on page larger than royal octavo, per 1000 ems, one dollar; for press work, including folding and stitching, per token, seventy cents.

Third: For yeas and nays, circular letters, and other miscellaneous printing ordered by Congress—For composition, plain work, per 1000 ems, seventy cents; rule and figure work, per 1000 ems, one dollar; for press work, including folding and stitching, per token or fraction of token, seventy cents.

Fourth: For all paper on which printing is done for Congress,

the public printer shall be allowed the fair market cost thereof, and twenty per centum additional thereto.

Fifth: On all work done for Congress when in secret session the public printer shall receive an additional compensation of ten per centum on the above rates.

SEC. 8. The chief officers of the executive departments of the government are hereby authorized to contract for all necessary printing in connection with their several offices, in no case, however, at higher rates of compensation than hereinbefore prescribed for work done for Congress.

SEC. 9. The Postmaster General shall contract for the publication of all post bills and other blanks connected with his office, not exceeding the following rates: For composition, including rule and figure work, per 1000 ems, fifty cents; for presswork, per clean token, (the sheets not to be less than 16 by 26 inches) fifty cents; for paper, ten per cent. on actual cost. Nothing shall be allowed for altering the name of a postmaster on a post bill or other blank, nor shall there be an additional charge for composition when the name of the post-office alone is changed. But the printer shall be required to keep always on hand forms for post-office blanks, and when new orders are given, the charge shall be made only for the press work and paper, and such new composition as may be necessary.

SEC. 10. All accounts for printing done for Congress or any one of the executive departments shall, before the same are allowed and paid, be sworn to by the public printer or contractor; shall be accompanied by vouchers, showing the cost of the paper used and the quantity thereof, and shall be certified to be correctly made out under the law by at least two disinterested practical printers in no way connected with the office or business of the claimant.

SEC. 11. The foregoing rates and provisions do not apply to advertisements in public gazettes by order of any of the executive departments, for which the usual fees paid by other advertisers shall be allowed. But no advertisement from any of the executive departments shall be inserted in more than three public gazettes in the same state.

SEC. 12. When printing on parchment is required to be done for any executive department, the parchment shall be purchased and furnished by such department, and a special contract made for such printing, not exceeding ten dollars per thousand copies.

SEC. 13. There shall be connected with the Department of Justice a Bureau of Printing, the chief officer of which shall be appointed by the President, by and with the advice and consent of the Congress, and shall be known as the Superintendent of Public Printing. No person shall be eligible to this office who is not skilled in and acquainted with the practical details of the business of printing; nor shall the Superintendent of Public Printing be in any manner, directly or indirectly, interested in the contracts for public printing, nor with the printing office at which the same is done, nor connected with any newspaper in any capacity whatever.

SEC. 14. It shall be the duty of the Superintendent to supervise, direct and control all the printing done by order of Congress, or under contract with any executive department, as to the quality of paper to be used, the character of type, the style of binding, and the general execution of the work; and also as to the time and order in which the same shall be completed. It shall be his duty also to report to the head of the department, at least once a year, the condition of the public printing, stating the amount paid out for the same on each contract, specifying the amount paid out under the order of each department, and giving estimates of the probable expenditure for the succeeding year; which report shall be laid before the Congress by the President, in connection with his annual message. It shall be his duty also to take from every contractor for public printing such bond, with good security, as he may require, not exceeding the probable amount of the contract price for the printing to be done by such contractor, and conditioned for the faithful performance of his contract in every particular. Such bonds shall be renewed annually by contractors whose work shall be continuing in its character and extends beyond the year of its commencement.

SEC. 15. All accounts for printing done, when rendered as hereinbefore provided, shall be audited and allowed by the Superintendent of Public Printing before the same shall be paid. If the Superintendent shall refuse to receive any work done, or shall refuse to allow any account rendered, the printer or contractor may appeal from such decision to the head of the department, whose decision on the appeal shall be final and conclusive.

SEC. 16. All laws or parts of laws militating against the provisions of this act are hereby repealed.

APPROVED, February 27, 1861.

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No. 34.]

## AN ACT

To declare and establish the Free Navigation of the Mississippi River.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the peaceful navigation of the Mississippi River is hereby declared free to the citizens of any of the states upon its borders, or upon the borders of its navigable tributaries; and all ships, boats, rafts or vessels may navigate the same, under such regulations as may be established by authority of law, or under such police regulations as may be established by the states within their several jurisdictions.

SEC. 2. *Be it further enacted*, All ships, boats or vessels which may enter the waters of the said river within the limits of this Confederacy, from any port or place beyond the said limits, may freely pass with their cargoes to any other port or place beyond the limits of this Confederacy without any duty or hindrance, except light-money, pilotage, and other like charges; but it shall not be lawful for any such ship, boat or vessel to sell, deliver, or in any way dispose of any part of her cargo, or land any portion thereof for the purpose of sale and delivery within the limits of this Confederacy; and in case any portion of such cargo shall be sold or delivered, or landed for that purpose in violation of the provisions of this act, the same shall be forfeited, and shall be seized and condemned by a proceeding in admiralty before the court having jurisdiction of the same in the district in which the same may be found; and the ship, boat or vessel shall forfeit four times the amount of the value of the duties chargeable on the said goods, wares or merchandise so landed, sold or disposed of in violation of the provisions of this act, to be recovered by a proper proceeding in admiralty before the said court, in the district in which such ship, boat or vessel may be found, one-half for the use of the collector of the district who shall institute and conduct such proceeding, the other half for the use of the government of the Confederate States: *Provided*, That if any such ship, boat or



vessel shall be stranded, or from any cause become unable to proceed on its voyage, the cargo thereof may be landed and the same be entered at the nearest port of entry, in the same manner as goods, wares and merchandise regularly consigned to said port; and the person so entering the same shall be entitled to the benefit of drawback of duties or of warehousing said goods, wares and merchandise as provided by law in other cases.

SEC. 3. *And be it further enacted,* If any person having the charge of or being concerned in the transportation of any goods, wares or merchandise upon the said river, shall, with intent to defraud the revenue, break open or unpack, within the limits of the Confederate States, any part of the merchandise entered for transportation beyond the said limits, or shall exchange or consume the same, or with like intent shall break or deface any seal or fastening placed thereon by any officer of the revenue, or if any person shall deface, alter or forge any certificate granted for the protection of merchandise transported as aforesaid, each and every person so offending shall forfeit and pay five hundred dollars, and shall be imprisoned not less than one nor more than six months, at the discretion of the court before which such person shall be convicted.

SEC. 4. *Be it further enacted,* In case any ship, boat or vessel shall enter the waters of the said river within the limits of the Confederate States, having on board any goods, wares or merchandise subject to the payment of duties, and the master, consignee or owner shall desire to land the same for sale or otherwise, it shall be lawful to enter the said goods, wares and merchandise at any port of entry, in the same manner as goods, wares or merchandise regularly consigned to the said port, or to forward them under bond or seal, according to the regulations customary in such cases, when consigned, to any port or place beyond the limits of this Confederacy, and on payment of the duties on said goods, to obtain from the collector a license to land the same at any point on the river; and when goods, wares or merchandise shall be entered as aforesaid, the owner, importer or consignee shall be entitled to the benefit of drawback of duties or of warehousing the said goods, wares and merchandise, as is provided by law, upon complying with all the laws and regulations which apply to cases of entry for drawback or warehousing respectively.

SEC. 5. *Be it further enacted*, When any such ship, boat or vessel, having on board goods, wares and merchandise subject to the payment of duties, as set forth in the fourth section, shall arrive at the first port of her entry of the Confederate States, the master or person in command of such ship, boat or vessel shall, before he pass the said port, and immediately after his arrival, deposit with the collector a manifest of the cargo on board subject to the payment of duties, and the said collector shall, after registering the same, transmit it, duly certified to have been deposited, to the officers with whom the entries are to be made, and the said collector may, if he judge it necessary for the security of the revenue, put an inspector of the customs on board any such ship, boat or vessel, to accompany the same until her arrival at the first port of entry to which her cargo may be consigned; and if the master or person in command shall omit to deposit a manifest as aforesaid, or refuse to receive such inspector on board, he shall forfeit and pay five hundred dollars, with costs of suit, one-half to the use of the officer with whom the manifest should have been deposited, and the other half to the use of the collector of the district to which the vessel was bound: *Provided, however*, That until ports of entry shall be established above the city of Vicksburg, on the Mississippi River, the penalties of this act shall not extend to the delivery of goods above that port by vessels or boats descending said river.

APPROVED, February 25, 1861.

No. 35.]

## AN ACT

To modify the Navigation Laws and repeal all Discriminating Duties on Ships or Vessels.

SECTION 1. *The Congress of the Confederate States of America do enact*, That all laws which forbid the employment in the coasting trade of ships or vessels not enrolled or licensed, and also all laws which forbid the importation of goods, wares or merchandise from one port of the Confederate States to another port of the Confederate States, or from any foreign port or place, in a vessel belonging wholly or in part to a subject or citizen of any foreign state or power, are hereby repealed.

SEC. 2. All laws which impose any discriminating duty on the tonnage of ships or vessels owned by any subject or citizen of any foreign state or power, or upon goods, wares or merchandise imported in any such ship or vessel, are hereby repealed.

APPROVED, February 26, 1861.

No. 36.]

## AN ACT

To define more accurately the exemption of certain Goods from Duty.

*The Congress of the Confederate States of America do enact,* That the exemption from duties allowed by the act to "Exempt from duties certain commodities therein named, and for other purposes," passed on the eighteenth day of February, 1861, shall extend only to such goods, *bona fide* purchased on or before the twenty-eighth day of February instant, as shall have been actually laden on board of the exporting vessel or conveyance destined for any port in this Confederacy, on or before the fifteenth day of March, in the present year.

APPROVED, February 26, 1861.

No. 37.]

## AN ACT

For the Establishment and Organization of a General Staff for the Army of the Confederate States of America.

SECTION 1. *The Congress of the Confederate States of America do enact,* That from and after the passing of this act, the general staff of the army of the Confederate States shall consist of an Adjutant and Inspector General's Department, Quartermaster General's Department, Subsistence Department, and the Medical Department.

SEC. 2. *Be it further enacted,* That the Adjutant and Inspector General's Department shall consist of one Adjutant and Inspector General with the rank of colonel, four Assistant Adjutants General with the rank of major, and four Assistant Adjutants General with the rank of captain.

SEC. 3. *Be it further enacted,* That the Quartermaster General's Department shall consist of one Quartermaster General with the rank of colonel, six Quartermasters with the rank of

major; and as many Assistant Quartermasters as may from time to time be required by the service may be detailed by the War Department from the subalterns of the line, who, in addition to their pay in the line, shall receive twenty dollars per month while engaged in that service. The quartermasters herein provided for shall also discharge the duties of Paymasters, under such regulations as may be prescribed by the Secretary of War.

SEC. 4. *Be it further enacted*, That the Commissary General's Department shall consist of one Commissary General with the rank of colonel, four Commissaries with the rank of captain; and as many Assistant Commissaries as may from time to time be required by the service may be detailed by the War Department from the subalterns of the line, who, in addition to their pay in the line, shall receive twenty dollars per month while engaged in that service. The assistant quartermasters and assistant commissaries shall be subject to duties in both departments at the same time, but shall not receive the additional compensation but in one department.

SEC. 5. *Be it further enacted*, That the Medical Department shall consist of one Surgeon General with the rank of colonel, four Surgeons with the rank of major, and six Assistant Surgeons with the rank of captain; and as many Assistant Surgeons as the service may require may be employed by the Department of War, and receive the pay of assistant surgeons.

SEC. 6. *Be it further enacted*, That the officers of the Adjutant General's, Quartermaster General's and Commissary General's Department, though eligible to command, according to the rank they hold in the army of the Confederate States of America, shall not assume command of troops, unless put on duty under orders which specially so direct by authority of the President. The officers of the Medical Department shall not exercise command except in their own department.

SEC. 7. *Be it further enacted*, That the staff officers herein provided for shall be appointed by the President, by and with the advice and consent of the Congress, and shall receive such pay and allowances as shall be hereafter established by law.

APPROVED, February 26, 1861.

No. 38.]

## AN ACT

To authorize the Secretary of the Treasury to establish additional Ports and places of Entry and Delivery, and appoint Officers therefor.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the Secretary of the Treasury be and he is hereby authorized and empowered to establish such ports of entry and delivery of goods, wares and merchandise as in his judgment may be necessary for the proper collection of the customs and the enforcement of the revenue laws of the Confederate States; and that he have power to change, alter and abolish such ports and places of entry and delivery at any time when the public interests may require it.

SEC. 2. *Be it further enacted*, That the Secretary of the Treasury be and he is hereby authorized and empowered to appoint suitable persons as collectors of the customs at such ports and places of entry and delivery, under such regulations and with such salaries as he may from time to time prescribe and establish.

APPROVED, February 28, 1861.

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No. 40.]

## AN ACT

To authorize the Secretary of State to appoint an Assistant.

*The Congress of the Confederate States of America do enact*, That the Secretary of State be and he is hereby authorized and empowered to appoint an assistant, who shall be known as the Assistant Secretary of State, who shall perform such duties as may be assigned him by the secretary, and receive such compensation for his services as may be fixed by law.

APPROVED, February 27, 1861.

To raise Money for the support of the Government, and to provide for the Defence of the Confederate States of America.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the President of the Confederate States be and he is hereby authorized, at any time within twelve months after the passage of this act, to borrow, on the credit of the Confederate States, a sum not exceeding fifteen millions of dollars, or so much thereof as in his opinion the exigencies of the public service may require, to be applied to the payment of appropriations made by law for the support of the government and for the defences of the Confederate States.

SEC. 2. The Secretary of the Treasury is hereby authorized, by the consent of the President of the Confederate States, to cause to be prepared certificates of stock or bonds, in such sums as are hereinafter mentioned, for the amount to be borrowed as aforesaid, to be signed by the Register of the Treasury and sealed with the seal of the treasury; and the said certificates of stock or bonds shall be made payable at the expiration of ten years from the first day of September next; and the interest thereon shall be paid semi-annually, at the rate of eight per cent. per annum, at the treasury and such other place as the Secretary of the Treasury may designate. And to the bonds which shall be issued as aforesaid shall be attached coupons for the semi-annual interest which shall accrue, which coupons may be signed by officers to be appointed for the purpose by the Secretary of the Treasury. And the faith of the Confederate States is hereby pledged for the due payment of the principal and interest of the said stock and bonds.

SEC. 3. At the expiration of five years from the first day of September next, the Confederate States may pay up any portion of the bonds or stocks, upon giving three months *previous public* notice, at the seat of government, of the particular stocks or bonds to be paid, and the time and place of payment; and from and after the time so appointed, no further interest shall be paid on said stock or bonds.

SEC. 4. The certificates of stock and bonds shall be issued in such form and for such amounts as may be determined by the Secretary of the Treasury, and may be assigned or delivered under such regulations as he may establish. But none of them

shall be for a less sum than fifty dollars, and he shall report to Congress, at its next session, a statement in detail of his proceedings, and the rate at which the loans may have been made, and all the expenses attending the same.

SEC. 5. From and after the first day of August, 1861, there shall be levied and collected and paid a duty of one-eighth of one cent. per pound on all cotton in the raw state exported from the Confederate States, which duty is hereby specially pledged to the due payment of interest and principal of the loan provided for in this act; and the Secretary of the Treasury is hereby authorized and required to establish a sinking fund to carry into effect the provisions of this section: *Provided, however,* That the interest coupons, issued under the second section of this act, when due, shall be receivable in payment of the export duty on cotton: *Provided, also,* That when the debt and interest thereon herein authorized to be contracted shall be extinguished, or the sinking fund provided for that purpose shall be adequate to that end, the said export duty shall cease and determine.

APPROVED, February 28, 1861.

N<sup>o</sup>. 42.]

## AN ACT

Supplemental to an act to regulate the Rates of Postage and for other purposes.

SECTION 1. *The Congress of the Confederate States of America do enact,* That until postage stamps and stamped envelopes can be procured and distributed, the Postmaster General may order the postage of the Confederacy to be prepaid in money, under such rules and regulations as he may adopt.

SEC. 2. *Be it further enacted,* That until otherwise provided by law, the Postmaster General may contract with any line of steamers for the transportation of mail matter between the ports of this Confederacy and the ports of foreign governments: *Provided,* That the rates of postage shall not exceed the rates allowed by the present laws of the United States for similar service, and the compensation to be paid shall not exceed the income from postage on such matter.

APPROVED, March 1, 1861.

To raise Provisional Forces for the Confederate States of America, and for other purposes.

SECTION 1. *The Congress of the Confederate States of America do enact*, That to enable the government of the Confederate States to maintain its jurisdiction over all questions of peace and war, and to provide for the public defence, the President be and he is hereby authorized and directed to assume control of all military operations in every state, having reference to or connection with questions between said states, or any of them, and powers foreign to them.

SEC. 2. *And be it further enacted*, That the President is hereby authorized to receive from the several states the arms and munitions of war which have been acquired from the United States, and which are now in the forts, arsenals and navy yards of the said states, and all other arms and munitions which they may desire to turn over and make chargeable to this government.

SEC. 3. *Be it further enacted*, That the President be authorized to receive into the service of this government such forces now in the service of said states as may be tendered, or who may volunteer, by consent of their state, in such numbers as he may require, for any time not less than twelve months, unless sooner discharged.

SEC. 4. *Be it further enacted*, That such forces may be received, with their officers, by companies, battalions or regiments, and when so received shall form a part of the Provisional Army of the Confederate States, according to the terms of their enlistment; and the President shall appoint, by and with the advice and consent of Congress, such general officer or officers for said forces as may be necessary for the service.

SEC. 5. *Be it further enacted*, That said forces, when received into the service of this government, shall have the same pay and allowances as may be provided by law for volunteers entering the service, or for the army of the Confederate States, and shall be subject to the same rules and government.

APPROVED, February 28, 1861.



No. 44.]

## AN ACT

To admit Texas as a Member of the Confederate States of America.

*The Congress of the Confederate States of America do enact,* That the State of Texas be and is hereby admitted as a member of this Confederacy, upon an equal footing with the other Confederate States.

APPROVED, March 2, 1861.

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No. 45.]

## A RESOLUTION

In relation to Patents and Caveats.

*Resolved by the Congress of the Confederate States of America,* That all persons, being citizens of the Confederate States, who may wish to procure patents or file caveats for inventions and useful discoveries and improvements, may file in the office of the Attorney General a specification of such invention, discovery or improvement, together with such descriptive drawings as may be necessary; and such specification, when so filed, shall operate as a caveat to protect the rights of such persons, until regular application can be made according to law; and this resolution shall apply to all patents heretofore granted by the United States to citizens of this Confederacy, and to caveats heretofore filed by such citizens in the Patent Office of the United States, on such patents and copies of such caveats being deposited as aforesaid, in the office of the Attorney General: *Provided,* That such applicants shall pay such fees as may hereafter be required by law establishing a patent office, on application for patents and filing of caveats.

APPROVED, March 4, 1861.

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No. 48.]

## AN ACT

To provide for the Public Defence.

SECTION 1. *The Congress of the Confederate States of America do enact,* That in order to provide speedily forces to repel invasion, maintain the rightful possession of the Confederate

States of America in every portion of territory belonging to each state, and to secure the public tranquility and independence against threatened assault, the President be and he is hereby authorized to employ the militia, military and naval forces of the Confederate States of America, and to ask for and accept the services of any number of volunteers, not exceeding one hundred thousand, who may offer their services, either as cavalry, mounted riflemen, artillery or infantry, in such proportion of these several arms as he may deem expedient, to serve for twelve months after they shall be mustered into service, unless sooner discharged.

SEC. 2. *And be it further enacted*, That the militia, when called into service by virtue of this act or any other act, if in the opinion of the President the public interest requires, may be compelled to serve for a term not exceeding six months after they shall be mustered into service, unless sooner discharged.

SEC. 3. *And be it further enacted*, That said volunteers shall furnish their own clothes, and, if mounted men, their own horses and horse equipments; and when mustered into service, shall be armed by the states from which they come, or by the Confederate States of America.

SEC. 4. *And be it further enacted*, That said volunteers shall, when called into actual service, and while remaining therein, be subject to the rules and articles of war, and instead of clothing, every non-commissioned officer and private in any company shall be entitled, when called into actual service, to money in a sum equal to the cost of clothing of a non-commissioned officer or private in the regular army of the Confederate States of America.

SEC. 5. *And be it further enacted*, That the said volunteers so offering their services may be accepted by the President in companies, squadrons, battalions and regiments, whose officers shall be appointed in the manner prescribed by law in the several states to which they shall respectively belong; but when inspected, mustered, and received into the service of the Confederate States, said troops shall be regarded in all respects as a part of the army of said Confederate States, according to the terms of their respective enlistments.

SEC. 6. *And be it further enacted*, That the President is hereby authorized to organize companies so tendering their services into battalions or squadrons, battalions or squadrons into

regiments, regiments into brigades, and brigades into divisions, whenever in his judgment such organization may be expedient; and whenever brigades or divisions shall be organized, the President shall appoint the commanding officers for such brigades and divisions, subject to the confirmation of Congress, who shall hold their offices only while such brigades and divisions are in service; and the President shall, if necessary, apportion the staff and general officers among the respective states from which the volunteers shall tender their services, as he may deem proper.

SEC. 7. *And be it further enacted*, That whenever the militia or volunteers are called and received into the service of the Confederate States, under the provisions of this act, they shall have the same organization, and shall have the same pay and allowances as may be provided for the regular army; and all mounted non-commissioned officers, privates, musicians and artificers, shall be allowed forty cents per day for the use and risk of their horses; and if any volunteer shall not keep himself provided with a serviceable horse, such volunteer shall serve on foot. For horses killed in action, volunteers shall be allowed compensation according to their appraised value at the date of muster into service.

SEC. 8. *And be it further enacted*, That the field and staff officers of a separate battalion of volunteers shall be one lieutenant-colonel or major, one adjutant with the rank of lieutenant, one sergeant-major, one quartermaster-sergeant, and a chief bugler or principal musician, according to corps; and that each company shall be entitled to an additional 2d lieutenant; and that the President may limit the privates in any volunteer company, according to his discretion, at from sixty-four to one hundred.

SEC. 9. *And be it further enacted*, That when volunteers or militia are called into the service of the Confederate States in such numbers that the officers of the quartermaster, commissary, and medical departments, which may be authorized by law for the regular service, are not sufficient to provide for the supplying, quartering, transporting, and furnishing them with the requisite medical attendance, it shall be lawful for the President to appoint, with the advice and consent of the Congress, as many additional officers of said departments as the service may require, not exceeding one commissary and one

quartermaster for each brigade, with the rank of major, and one assistant quartermaster with the rank of captain, one assistant commissary with the rank of captain, one surgeon and one assistant surgeon for each regiment; the said quartermasters and commissaries, assistant quartermasters and commissaries, to give bonds with good sureties for the faithful performance of their duties, the said officers to be allowed the same pay and emoluments as shall be allowed to officers of the same grade in the regular service, and to be subject to the rules and articles of war, and to continue in service only so long as their services may be required in connection with the militia or volunteers.

SEC. 10. *And be it further enacted*, That the President be and he is hereby authorized to purchase or charter, arm, equip and man such merchant vessels and steamships or boats as may be found fit or easily converted into armed vessels, and in such number as he may deem necessary for the protection of the seaboard and the general defence of the country.

APPROVED, March 6, 1861.

No. 49.]

## AN ACT

To repeal so much of the Laws of the Confederate States of America as prohibit the introduction of Liquors, except in casks or vessels of or above certain named capacity, and for other purposes.

SECTION 1. *The Congress of the Confederate States of America do enact*, That all laws and parts of laws which prohibit the importation into this Confederacy of beer, ale or porter, or distilled spirits, except in casks or vessels not below certain prescribed capacities; also all laws requiring loaf and refined sugars to be brought in, in vessels of a certain tonnage, and in packages of certain sizes, be and the same are hereby repealed. And hereafter it shall be lawful to import the same, subject to the payment of the duties prescribed by law, in such quantities as the importer shall choose.

APPROVED, March 5, 1861.

No. 50.]

## AN ACT

To provide for the Registration of Vessels owned in whole or in part by Citizens of the Confederate States.

*The Congress of the Confederate States of America do enact,* That all vessels, wherever built, one-fourth or more of which shall be owned by a citizen or citizens of the Confederate States, and commanded by a citizen thereof, shall be registered as a vessel of the Confederacy at the custom-houses thereof: *Provided,* That a majority in interest of the owners shall consent to such registration, and such vessels be not registered elsewhere.

APPROVED, March 6, 1861.

No. 51.]

## AN ACT

To establish and organize a Bureau in connection with the Department of the Treasury, to be known as the Lighthouse Bureau.

SECTION 1. *The Congress of the Confederate States do enact,* That there shall be established in connection with the Department of the Treasury a bureau, to be known as the Lighthouse Bureau. The chief officer of such bureau shall be a captain or commander of the navy, detailed for this service by order of the President of the Confederate States, who shall receive as his compensation the same pay allowed to officers of the same rank in the navy. There shall be appointed also a chief clerk, with a salary of twelve hundred dollars, and accounting clerk, with a salary of one thousand dollars.

SEC. 2. All lighthouses, light vessels, buoys, and other aids to navigation, all the officers connected therewith, and all matters connected with the construction, repair, illumination, inspection and government thereof, and all duties appertaining to the administration of lighthouse affairs, shall be under the direction and control of the Lighthouse Bureau hereby established, subject at all times to the superintendence of the Secretary of the Treasury.

SEC. 3. The chief of the bureau shall, as soon as possible, divide the sea coasts of the Confederate States into districts not

exceeding five in number, as the Secretary of the Treasury may deem expedient, and over each of these districts the President shall appoint an inspector, to be selected from the lieutenants in the navy, who shall discharge all the duties of inspection, survey or otherwise which may be required of him by the chief of the bureau. For these services the inspectors shall receive only their regular pay in the navy.

SEC. 4. The President of the Confederate States may from time to time, at the request of the Secretary of the Treasury, detail one or more of the officers of the engineer corps of the army, to be employed under the direction of the Lighthouse Bureau, in superintending the construction or repair of lighthouses or other necessary structures in connection with the lighthouse establishment, or other similar duty assigned by the Lighthouse Bureau in connection therewith.

SEC. 5. The chief of the bureau shall at least once every year make a full report to the Secretary of the Treasury, giving a full statement of the operations of the lighthouse establishment. He shall also from time to time give such information to the Secretary of the Treasury as he may require in reference to his bureau.

SEC. 6. All laws and parts of laws contravening the provisions of this act are hereby repealed.

APPROVED, March 6, 1861.

No. 52.]

## AN ACT

For the establishment and organization of the Army of the Confederate States of America.

SECTION 1. *The Congress of the Confederate States of America do enact*, That from and after the passage of this act the military establishment of the Confederate States shall be composed of one corps of engineers, one corps of artillery, six regiments of infantry, one regiment of cavalry, and of the staff departments already established by law.

SEC. 2. The corps of engineers shall consist of one colonel, four majors, five captains, and one company of sappers, miners and pontoniers, which shall consist of ten sergeants or master workmen, ten corporals or overseers, two musicians, and thirty-nine privates of the first class, or artificers, and thirty-nine privates of the second class, or laborers, making in all one hundred.

SEC. 3. The said company shall be officered by one captain of the corps of engineers, and as many lieutenants, to be selected by the President from the line of the army, as he may deem necessary for the service, and shall be instructed in and perform all the duties of sappers, miners and pontoniers, and shall, moreover, under the orders of the chief engineer, be liable to serve by detachments in overseeing and aiding laborers upon fortifications or other works, under the engineer department, and in supervising finished fortifications, as fortkeepers, preventing injury and making repairs.

SEC. 4. It shall be the duty of the colonel of the engineer corps, subject to the approval of the Secretary of War, to prescribe the number, quantity, form, dimensions, &c., of the necessary vehicles, arms, pontons, tools, implements, and other supplies for the service of the said company as a body of sappers, miners and pontoniers.

SEC. 5. The Corps of Artillery, which shall also be charged with ordnance duties, shall consist of one colonel, one lieutenant colonel, ten majors, and forty companies of artillerists and artificers, and each company shall consist of one captain, two first lieutenants, one second lieutenant, four sergeants, four corporals, two musicians and seventy privates. There shall also be one adjutant, to be selected by the colonel from the first lieutenants, and one sergeant-major, to be selected from the enlisted men of the corps. The President may equip as light batteries, of six pieces each, such of these companies as he may deem expedient, not exceeding four, in time of peace.

SEC. 6. Each regiment of infantry shall consist of one colonel, one lieutenant-colonel, one major and ten companies; each company shall consist of one captain, one first lieutenant, two second lieutenants, four sergeants, four corporals, two musicians and ninety privates; and to each regiment there shall be attached one adjutant, to be selected from the lieutenants, and one sergeant-major, to be selected from the enlisted men of the regiment.

SEC. 7. The regiment of cavalry shall consist of one colonel, one lieutenant-colonel, one major and ten companies, each of which shall consist of one captain, one first lieutenant, two second lieutenants, four sergeants, four corporals, one farrier, one blacksmith, two musicians and sixty privates. There shall

also be one adjutant and one sergeant-major, to be selected as aforesaid.

SEC. 8. There shall be four brigadier-generals, who shall be assigned to such commands and duties as the President may specially direct, and shall be entitled to one aid-de-camp each, to be selected from the subalterns of the line of the army, who, in addition to their duties as aids-de-camp, may perform the duties of assistants adjutant-general.

SEC. 9. All officers of the army shall be appointed by the President, by and with the advice and consent of the Congress, and the rank and file shall be enlisted for a term not less than three nor more than five years, under such regulations as may be established.

SEC. 10. No officer shall be appointed in the army until he shall have passed an examination satisfactory to the President, and in such manner as he may prescribe, as to his character and fitness for the service. The President, however, shall have power to postpone this examination for one year after appointment, if in his judgment necessary for the public interest.

SEC. 11. All vacancies in established regiments and corps, to and including the rank of colonel, shall be filled by promotion according to seniority, except in case of disability or other incompetency. Promotions to and including the rank of colonel shall be made regimentally in the infantry and cavalry, in the staff departments, and in the engineers and artillery, according to corps. Appointments to the rank of brigadier-general, after the army is organized, shall be made by selection from the army.

SEC. 12. The President of the Confederate States is hereby authorized to appoint to the lowest grade of subaltern officers such meritorious non-commissioned officers as may, upon the recommendation of their colonels and company officers, be brought before an army board, specially convened for the purpose, and found qualified for the duties of commissioned officers, and to attach them to regiments or corps, as supernumerary officers, if there be no vacancies: *Provided*, There shall not be more than one so attached to any one company at the same time.

SEC. 13. The pay of a brigadier-general shall be three hundred and one dollars per month. The aid-de-camp of a brigadier-general, in addition to his pay as lieutenant, shall receive thirty-five dollars per month.



SEC. 14. The monthly pay of the officers of the corps of engineers shall be as follows: of the colonel, two hundred and ten dollars; of a major, one hundred and sixty-two dollars; of a captain, one hundred and forty dollars; lieutenants serving with the company of sappers and miners shall receive the pay of cavalry officers of the same grade.

SEC. 15. The monthly pay of the colonel of the corps of artillery shall be two hundred and ten dollars; of a lieutenant-colonel, one hundred and eighty-five dollars; of a major, one hundred and fifty dollars, and when serving on ordnance duty, one hundred and sixty-two dollars; of a captain, one hundred and thirty dollars; of a first lieutenant, ninety dollars; of a second lieutenant, eighty dollars; and the adjutant shall receive, in addition to his pay as lieutenant, ten dollars per month. Officers of artillery serving in the light artillery, or performing ordnance duty, shall receive the same pay as officers of cavalry of the same grade.

SEC. 16. The monthly pay of the officers of the infantry shall be as follows: of a colonel, one hundred and ninety-five dollars; of a lieutenant-colonel, one hundred and seventy dollars; of a major, one hundred and fifty dollars; of a captain, one hundred and thirty dollars; of a first lieutenant, ninety dollars; of a second lieutenant, eighty dollars; the adjutant, in addition to his pay as lieutenant, ten dollars.

SEC. 17. The monthly pay of the officers of the cavalry shall be as follows: of a colonel, two hundred and ten dollars; of a lieutenant-colonel, one hundred and eighty-five dollars; a major, one hundred and sixty-two dollars; a captain, one hundred and forty dollars; a first lieutenant, one hundred dollars; a second lieutenant, ninety dollars; the adjutant, ten dollars per month, in addition to his pay as lieutenant.

SEC. 18. The pay of the officers of the general staff, except those of the medical department, shall be the same as that of officers of cavalry of the same grade. The surgeon-general shall receive an annual salary of three thousand dollars, which shall be in full of all pay and allowances, except fuel and quarters. The monthly pay of a surgeon, of ten years' service in that grade, shall be two hundred dollars; a surgeon of less than ten years' service in that grade, one hundred and sixty-two dollars; an assistant surgeon of ten years' service in that grade, one hundred and fifty dollars; an assistant surgeon of five years' service in that grade, one hundred and thirty dollars; and an assistant

surgeon of less than five years' service, one hundred and ten dollars.

SEC. 19. There shall be allowed, in addition to the pay hereinbefore provided, to every commissioned officer, except the surgeon-general, nine dollars per month for every five years' service; and to the officers of the army of the United States, who have resigned or may resign to be received into the service of the Confederate States, this additional pay shall be allowed from the date of their entrance into the former service. There shall also be an additional monthly allowance to every general officer commanding in chief a separate army actually in the field, of one hundred dollars.

SEC. 20. The pay of officers as hereinbefore established shall be in full of all allowances, except forage, fuel, quarters and travelling expenses while travelling under orders. The allowance of forage, fuel and quarters shall be fixed by regulations and shall be furnished in kind, except when officers are serving at stations without troops where public quarters cannot be had, in which case they may be allowed, in lieu of forage, eight dollars per month for each horse to which they may be entitled, provided they are actually kept in service and mustered, and quarters may be commuted at a rate to be fixed by the Secretary of War, and fuel at the market price delivered. An officer when travelling under orders shall be allowed mileage at the rate of ten cents per mile.

SEC. 21. In time of war, officers of the army shall be entitled to draw forage for horses, according to grade, as follows: A brigadier-general, four; the adjutant and inspector-general, quartermaster-general, commissary-general, and the colonels of engineers, artillery, infantry and cavalry, three each; all lieutenant-colonels and majors, and captains of the general staff, engineer corps, light artillery and cavalry, three each; lieutenants serving in the corps of engineers, lieutenants of light artillery and of cavalry, two each. In time of peace: general and field officers, three; officers below the rank of field officers, in the general staff, corps of engineers, light artillery and cavalry, two: *Provided* in all cases that the horses are actually kept in service and mustered. No enlisted man in the service of the Confederate States shall be employed as a servant by any officer of the army.

SEC. 22. The monthly pay of the enlisted men of the army of the Confederate States shall be as follows: That of a sergeant or master workman of the engineer corps, thirty-four dollars; that of a corporal or overseer, twenty dollars; privates of the first class, or artificers, seventeen dollars; and privates of the second class, or laborers, and musicians, thirteen dollars. The sergeant-major of cavalry, twenty-one dollars; first sergeants, twenty dollars; sergeants, seventeen dollars; corporals, farriers and blacksmiths, thirteen dollars; musicians, thirteen dollars; and privates, twelve dollars. Sergeants-major of artillery and infantry, twenty-one dollars; first sergeants, twenty dollars each; sergeants, seventeen dollars; corporals and artificers, thirteen dollars; musicians, twelve dollars; and privates eleven dollars each. The non-commissioned officers, artificers, musicians and privates serving in light batteries shall receive the same pay as those of cavalry.

SEC. 23. The President shall be authorized to enlist as many master armorers, master carriage-makers, master blacksmiths, armorers, carriage-makers, blacksmiths, artificers, and laborers, for ordnance service, as he may deem necessary, not exceeding in all one hundred men, who shall be attached to the corps of artillery. The pay of a master armorer, master carriage-maker, master blacksmith, shall be thirty-four dollars per month; armorers, carriage-makers and blacksmiths, twenty dollars per month; artificers, seventeen dollars, and laborers, thirteen dollars per month.

SEC. 24. Each enlisted man of the army of the Confederate States shall receive one ration per day, and a yearly allowance of clothing, the quantity and kind of each to be established by regulations from the War Department, to be approved by the President.

SEC. 25. Rations shall generally be issued in kind, but under circumstances rendering a commutation necessary. The commutation value of the ration shall be fixed by regulations of the War Department, to be approved by the President.

SEC. 26. The officers appointed in the army of the Confederate States by virtue of this act, shall perform all military duties to which they may be severally assigned by authority of the President, and it shall be the duty of the Secretary of War to prepare and publish regulations, prescribing the details of every department in the service, for the general government of

the army, which regulations shall be approved by the President, and when so approved shall be binding.

SEC. 27. All officers of the quartermaster's and commissary departments shall, previous to entering on the duties of their respective offices, give bonds with good and sufficient sureties to the Confederate States, in such sum as the Secretary of War shall direct, fully to account for all moneys and public property which they may receive.

SEC. 28. Neither the quartermaster-general, the commissary-general, nor any or either of their assistants, shall be concerned, directly or indirectly, in the purchase or sale of any articles intended for, making a part of, or appertaining to public supplies, except for and on account of the Confederate States; nor shall they, or either of them, take or apply to his or their own use any gain or emolument for negotiating any business in their respective departments, other than what is or may be allowed by law.

SEC. 29. The Rules and Articles of War established by the laws of the United States of America for the government of the army are hereby declared to be of force, except that wherever the words "United States" occur, the words "Confederate States" shall be substituted therefor; and except that the articles of war numbers sixty-one and sixty-two are hereby abrogated, and the following articles substituted therefor:

ARTICLE 61. Officers having brevets or commissions of a prior date to those of the corps in which they serve will take place on courts martial or of inquiry, and on boards detailed for military purposes, when composed of different corps, according to the ranks given them in their brevet or former commissions, but in the regiment, corps, or company to which such officers belong, they shall do duty and take rank, both in courts and on boards as aforesaid, which shall be composed of their own corps, according to the commission by which they are there mustered.

ARTICLE 62. If upon marches, guards, or in quarters, different corps shall happen to join or do duty together, the officer highest in rank, according to the commission by which he is mustered in the army, navy, marine corps, or militia, there on duty by orders from competent authority, shall command the whole and give orders for what is needful for the service, unless otherwise directed by the President of the Confederate States in orders of special assignment providing for the case.

SEC. 30. The President shall call into the service of the Confederate States only so many of the troops herein provided for as he may deem the safety of the Confederacy may require.

SEC. 31. All laws or parts of laws of the United States, which have been adopted by the Congress of the Confederate States, repugnant to or inconsistent with this act, are hereby repealed.

APPROVED, March 6, 1861.

No. 53.]

## AN ACT

To create the Clerical Force of the several Executive Departments of the Confederate States of America, and for other purposes.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the clerical force of the several departments of the Confederate States of America shall consist of the following officers : To the State Department there shall be one chief clerk, at a salary of fifteen hundred dollars per annum, and one clerk, at a salary of twelve hundred dollars per annum, and also a messenger, whose annual compensation shall be five hundred dollars.

To the Treasury Department there shall be a chief clerk, whose salary shall be fifteen hundred dollars per annum, and three other clerks, who shall receive each twelve hundred dollars per annum; and there shall be one messenger, at an annual compensation of five hundred dollars.

To each of the bureaus of the Treasury Department, viz: the comptroller, the auditor, the register and the treasurer, there shall be a chief clerk, whose salaries shall be each fifteen hundred dollars per annum; and to all of said bureaus there shall be twenty-two clerks, eleven of whom shall receive salaries of twelve hundred dollars each per annum, and eleven shall receive salaries of one thousand dollars each per annum; and the said Secretary of the Treasury shall have power to distribute said twenty-two clerks among the said bureaus, as in his judgment will best subserve the public interest; and to each of the offices of comptroller, auditor, register and treasurer, there shall be a messenger, with an annual salary of five hundred dollars.

To the War Department there shall be a chief of the bureau of war, at an annual salary of three thousand dollars, and five

clerks, who shall each receive twelve hundred dollars per annum; and one of them may be appointed disbursing clerk, with an additional salary of six hundred dollars, who shall give bond with sureties to be approved by the Secretary of War. There shall also be one messenger, whose compensation shall be five hundred dollars per annum. And to all of the bureaus of the War Department, viz: the adjutant and inspector general, quartermaster general, the commissary general, the surgeon general, the chief engineer and the artillery, there shall be fourteen clerks, seven of whom shall receive each a salary of twelve hundred dollars, and seven a salary each of one thousand dollars per annum.

And the Secretary of War is hereby authorized to assign said clerks to duty in the respective offices enumerated, as in his judgment will best promote the public service. And to each of said named bureaus, except the office of surgeon general, there shall be, if deemed necessary by the Secretary of War, a messenger, at an annual compensation of five hundred dollars.

To the Post-Office Department there shall be an assistant postmaster general, with a salary of three thousand dollars per annum, and a chief clerk at a salary of fifteen hundred dollars per annum, and ten other clerks, five of whom shall receive salaries each of twelve hundred, and five shall receive salaries each of one thousand dollars per annum. And there shall be one messenger, at an annual salary of five hundred dollars.

To the Department of Justice there shall be an assistant attorney-general at a salary of twenty-five hundred dollars per annum, and one clerk whose annual salary shall be twelve hundred dollars, and also a messenger at a salary of five hundred dollars.

SEC. 2. The annual salaries of the assistant secretary of state, the assistant secretary of the treasury, the comptroller, the auditor, the register and the treasurer shall each be the sum of three thousand dollars per annum.

SEC. 3. The President of the Confederate States of America is hereby authorized to appoint or employ in his official household the following officers, to-wit: one private secretary, at an annual salary of twelve hundred dollars, and one messenger, at an annual salary of five hundred dollars.

SEC. 4. *And be it further enacted*, That the Secretaries of State, Treasury, War, Navy, Attorney-General, and Postmaster-

General are hereby authorized to employ such other clerical force in their respective departments as the exigencies of the public service may absolutely require, being limited in the compensation to the lower grade of salary for clerks provided for in this bill; they are also empowered to employ such laborers for their respective offices as may be required, not exceeding one for each of the executive departments, and whose compensation shall not exceed one dollar and fifty cents per day.

APPROVED, March 7, 1861.

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No. 54.]

## A RESOLUTION

In relation to International Copyrights.

WHEREAS, Great Britain, France, Prussia, Saxony and other European Powers have passed laws to secure to authors of other states the benefits and privileges of their copyright laws, upon condition of similar privileges being granted by the laws of such states to authors, the subjects of the powers aforesaid, therefore be it

*Resolved by the Congress of the Confederate States of America,* That the President be and he is hereby authorized to instruct the Commissioners appointed by him to visit the European Powers, to enter into treaty obligations for the extension of international copyright privileges to all authors, the citizens and subjects of the powers aforesaid.

APPROVED, March 7, 1861.

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No. 55.]

## AN ACT

To create the clerical force of the Navy Department.

SECTION 1. *The Congress of the Confederate States of America do enact,* That the clerical force of the Navy Department shall consist of one chief clerk, at a salary of fifteen hundred dollars per annum, who shall also perform the duties of disbursing agent and corresponding clerk of said department, and receive therefor an extra compensation of six hundred dollars per annum; and also three other clerks, two of whom shall receive a salary each of twelve hundred dollars per annum, and one a

salary of one thousand dollars per annum ; and there shall be attached to said department a messenger, whose annual compensation shall be five hundred dollars.

APPROVED, March 8, 1861.

No. 56.]

## A RESOLUTION

To continue the Mints at New Orleans and Dahlonega.

*The Congress of the Confederate States of America do resolve,* That the mints at New Orleans and Dahlonega shall be continued, and the proper arrangements made as soon as possible to procure suitable dies for the coin of the Confederate States.

*Resolved further,* That the Secretary of the Treasury be requested to estimate and report to Congress the lowest amount of appropriation necessary to carry out the above resolution.

APPROVED, March 9, 1861.

No. 57.]

## AN ACT

To admit certain materials free of Duty for the construction of Telegraphic Lines from Savannah, in the State of Georgia, to Fort Pulaski, and from Mobile, in the State of Alabama, to Fort Morgan.

SECTION 1. *The Congress of the Confederate States of America do enact,* That certain cable wire and other materials for the construction of a telegraphic line between the city of Savannah, in the State of Georgia, and Fort Pulaski, in the same state, which may be imported by C. C. Walden, the contractor for said line, be admitted free of duty, upon satisfactory proof being submitted to the collector of the port of Savannah that the materials herein designated are imported for and applied to the construction of the said telegraphic line.

SEC. 2. *And be it further enacted,* That the materials necessary to construct a telegraphic line from Mobile to Fort Morgan may also be imported free of duty.

APPROVED, March 9, 1861.



To authorize the Issue of Treasury Notes, and to prescribe the Punishment for forging the same, and for forging certificates of Stock, Bonds, or Coupons.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the President of the Confederate States of America is hereby authorized to cause treasury notes to be issued for such sum or sums as the exigencies of the public service may require, but not to exceed at any time one million of dollars, and of denominations not less than fifty dollars for any such note, to be prepared, signed and issued in the manner hereinafter provided.

SEC. 2. *And be it further enacted*, That such treasury notes shall be paid and redeemed by the Confederate States at the treasury thereof, after the expiration of one year from the dates of said notes, from which dates they shall bear interest at the rate of one cent per day for every hundred dollars issued: *Provided*, That after the maturity of any of said notes, interest thereon shall cease at the expiration of sixty days' notice of readiness to pay and redeem the same, which may at any time or times be given by the Secretary of the Treasury, in one or more newspapers published at the seat of government. The payment or redemption of said notes herein provided shall be made to the lawful holders thereof respectively, upon presentment at the treasury, and shall include the principal of each note and the interest which shall be due thereon. And for such payment and redemption, at the time or times herein specified, the faith of the Confederate States of America is hereby pledged.

SEC. 3. *And be it further enacted*, That such treasury notes shall be prepared under the direction of the Secretary of the Treasury, and shall be signed, in behalf of the Confederate States of America, by the treasurer thereof, and countersigned by the register of the treasury. Each of these officers shall keep, in a book or books provided for that purpose, separate, full and accurate accounts, showing the number, date, amount and rate of interest of each treasury note signed and countersigned by them respectively; and also similar accounts showing all such notes as may be paid, redeemed and cancelled, as the same may be returned, all which accounts shall be carefully preserved in the Treasury Department. And the treasurer shall account quar-

terly for all such treasury notes as shall have been countersigned by the register and delivered to the treasurer for issue.

SEC. 4. *And be it further enacted*, That the Secretary of the Treasury is hereby authorized, with the approbation of the President, to cause such portion of said treasury notes as may be deemed expedient to be issued by the treasurer in payment of warrants in favor of public creditors or other persons lawfully entitled to such payment who may choose to receive such notes in payment at par. And the Secretary of the Treasury is further authorized, with the approbation of the President, to borrow from time to time such sums of money, upon the credit of such notes, as the President may deem expedient: *Provided*, That no treasury notes shall be pledged, hypothecated, sold or disposed of in any way, for any purpose whatever, either directly or indirectly, for any sum less than the amount of such notes, including the principal and interest thereof.

SEC. 5. *And be it further enacted*, That said treasury notes shall be transferable, by assignment endorsed thereon by the person to whose order the same shall be made payable, accompanied together with the delivery of notes so assigned.

SEC. 6. *And be it further enacted*, That said treasury notes shall be received by the proper officers in payment of all duties and taxes laid by the authority of the Confederate States of America, of all public lands sold by said authority, and of all debts to the Confederate States of America, of any character whatever, which may be due and payable at the time when said treasury notes may be offered in payment thereof, except the export duty on cotton; and upon every such payment credit shall be given for the amount of principal and interest, if any, due on the note or notes received in payment on the day when the same shall have been received by such officer.

SEC. 7. *And be it further enacted*, That every collector of the customs, receiver of public moneys, or other officer or agent of the Confederate States of America, who shall receive any treasury note or notes in payment on account of the Confederate States of America, shall take from the holder of such note or notes a receipt upon the back of each, stating distinctly the date of such payment and the amount allowed upon such note; and every such officer or agent shall keep regular and specific entries of all treasury notes received in payment, showing the person from whom received, the number, date and amount of principal

and interest, if any, allowed on each and every treasury note received in payment, which entries shall be delivered to the treasury, with the treasury note or notes mentioned therein, and if found correct such officer or agent shall receive credit for the amount.

SEC. 8. *And be it further enacted*, That the Secretary of the Treasury be and he is hereby authorized to make and issue from time to time such instructions, rules and regulations to the several collectors, receivers, depositaries and all others who may be required to receive such treasury notes in behalf of and as agents in any capacity for the Confederate States of America, as to the custody, disposal, cancelling and return of any such notes as may be paid to and received by them respectively, and as to the accounts and returns to be made to the Treasury Department of such receipts, as he shall deem best calculated to promote the public convenience and security and to protect the Confederate States of America, as well as individuals, from frauds and loss.

SEC. 9. *And be it further enacted*, That the Secretary of the Treasury be and he is hereby authorized and directed to cause to be paid the principal and interest of such treasury notes as may be issued under this act, at the time and times when, according to its provisions, the same should be paid. And the said secretary is further authorized to purchase said notes at par, for the amount of principal and interest due at the time of the purchase of such notes. And so much of any unappropriated money in the treasury as may be necessary for the purpose is hereby appropriated to the payment of the principal and interest on said notes.

SEC. 10. *And be it further enacted*, That in place of such treasury notes as may have been paid and redeemed, other treasury notes to the same amount may be issued: *Provided*, That the aggregate sum outstanding under the authority of this act shall at no time exceed one million of dollars: *And provided further*, That the power to issue and re-issue treasury notes conferred on the President by this act shall cease and determine on the first day of March, eighteen hundred and sixty-two.

SEC. 11. *And be it further enacted*, That if any person shall falsely make, forge or counterfeit, or cause or procure to be falsely made, forged or counterfeited, or willingly aid or assist in falsely making, forging or counterfeiting any note in imita-

tion of or purporting to be a treasury note, issued as aforesaid, or shall pass, utter or publish, or attempt to pass, utter or publish as true any false, forged or counterfeited note, purporting to be a treasury note as aforesaid, knowing the same to be falsely made, forged or counterfeited, or shall falsely alter, or cause or procure to be falsely altered, or willingly aid and assist in falsely altering any treasury note issued as aforesaid, or shall pass, utter or publish, or attempt to pass, utter or publish as true any falsely altered treasury note, issued as aforesaid, knowing the same to be falsely altered, every such person shall be deemed and adjudged guilty of felony, and being thereof convicted by due course of law, shall be sentenced to be imprisoned and kept at hard labor for a period not less than three years nor more than ten years, and to be fined in a sum not exceeding five thousand dollars.

SEC. 12. *And be it further enacted*, That if any person shall make or engrave, or cause or procure to be made or engraved, or shall have in his possession any metallic plate engraved after the similitude of any plate from which any notes issued as aforesaid shall have been printed, with intent to use such plate, or cause or suffer the same to be used in forging or counterfeiting any of the notes issued as aforesaid, or shall have in his custody or possession any blank note or notes engraved and printed after the similitude of any notes issued as aforesaid, with intent to use such blanks, or cause or suffer the same to be used in forging or counterfeiting any of the notes issued as aforesaid, or shall have in his custody or possession any paper adapted to the making of such notes, and similar to the paper upon which any such notes shall have been issued, with intent to use such paper or cause or suffer the same to be used in forging or counterfeiting any of the notes issued as aforesaid, every such person, being thereof convicted by due course of law, shall be sentenced to be imprisoned and kept at hard labor for a term not less than three nor more than ten years, and fined in a sum not exceeding five thousand dollars.

SEC. 13. *And be it further enacted*, That if any person shall falsely make, forge or counterfeit, or cause or procure to be falsely made, forged or counterfeited, or willingly aid or assist in falsely making or forging, or counterfeiting any certificate of stock or bond, or coupon, in imitation of or purporting to be a certificate of stock or bond, or coupon, issued in accordance with

the provisions of the act entitled an act to raise money for the support of the government, and to provide for the defence of the Confederate States of America, approved the 28th day of February, eighteen hundred and sixty-one, or shall pass, utter or publish, or attempt to pass, utter or publish as true any false, forged or counterfeited certificate of stock or bond, or coupon, purporting to be a certificate of stock or bond, or coupon, as aforesaid, knowing the same to be falsely made, forged or counterfeited, or shall falsely alter or cause, or procure to be falsely altered, or willingly aid or assist in falsely altering any certificate of stock or bond, or coupon, issued as aforesaid, or shall pass, utter or publish, or attempt to pass, utter or publish as true any falsely altered certificate of stock or bond, or coupon, issued as aforesaid, knowing the same to be falsely altered, every such person shall be deemed and adjudged guilty of a felony, and being thereof convicted by due course of law, shall be sentenced to be imprisoned and kept at labor for a period not less than three years nor more than ten years, and be fined in a sum not exceeding five thousand dollars.

APPROVED, March 9, 1861.

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No. 59.]

## AN ACT

To provide for an Assistant Treasurer of the Confederate States of America, and a Treasurer for the Mint in the city of New Orleans.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the branch mint, formerly belonging to the United States, in the city of New Orleans, and the vaults and safes thereof, shall be the place of deposit of the public money of the Confederate States of America in that city; and the President shall nominate, and by and with the advice and consent of Congress shall appoint an assistant treasurer of the Confederate States of America, who shall hold his office until the expiration of this Provisional Government. And the said assistant treasurer shall have the custody and care of all public moneys deposited in said place of deposit, and shall perform all the duties required by law to be performed by assistant treasurers of the Confederate States, who shall give a bond with

sureties for the faithful discharge of the duties of his office, which bond shall be for the sum of one hundred thousand dollars, and the sureties shall be approved by the Secretary of the Treasury: *Provided*, That it shall not be necessary that each surety shall bind himself for the whole amount of the bond, but the aggregate amount for which the sureties are severally bound shall be equal to the full sum of one hundred thousand dollars: *Provided*, That each surety shall be bound for at least twenty thousand dollars.

SEC. 2. *And it is further enacted*, That the salary of said assistant treasurer shall be four thousand dollars per annum; and the said assistant treasurer shall also perform the duties of treasurer of the mint, without any further compensation than is herein provided.

APPROVED, March 9, 1861.

No. 60.]

## AN ACT

Further to provide for the organization of the Post-Office Department.

SECTION 1. *The Congress of the Confederate States of America do enact*, That to the Post-Office Department there shall be a chief of the contract bureau, a chief of the appointment bureau, and a chief of the finance bureau, each of whom shall be entitled to an annual salary of two thousand five hundred dollars; also a chief clerk, who shall be entitled to an annual salary of fifteen hundred dollars; also a draftsman, for such time as his services may be required, at an annual salary of fifteen hundred dollars, or at that rate for a shorter period than one year; also ten clerks at an annual salary of twelve hundred dollars each, and ten additional clerks, at an annual salary of one thousand dollars each. And the Postmaster General is hereby authorized to employ such other clerical force in his department as the exigencies of the public service may absolutely demand, the salaries of such superadded clerks to be so employed by him not to exceed one thousand dollars each; but this power, together with the tenure of such appointees, shall extend no longer than the end of the first session of the next Congress. And he may also employ one messenger, at an annual

salary of five hundred dollars; and also two laborers, at an expense of not more than one dollar and fifty cents each per day.

SEC. 2. *Be it further enacted*, That so much of an act entitled "An act to create the clerical force of the several executive departments of the Confederate States of America, and for other purposes," as relates to the Post-Office Department of the Confederate States be and the same is hereby repealed.

SEC. 3. *And it is further enacted*, That the Postmaster-General shall have the general power to transfer the clerks authorized by this act from any one bureau to another, according to the exigencies of the public service.

APPROVED, March 9, 1861.

No. 61.]

## AN ACT

To fix the pay of Members of the Congress of the Confederate States of America.

SEC. 1. *The Congress of the Confederate States of America do enact*, That the pay of the members of Congress shall be eight dollars per day during the session, and that each member shall be allowed ten cents per mile for coming to and ten cents per mile for returning from the the place where Congress may assemble for each session, to be computed by the usual mail route from his residence to the seat of government.

SEC. 2. *Be it further enacted*, That the pay of the President of Congress shall be sixteen dollars per day, and the same mileage as the members.

APPROVED, March 11, 1861.

No. 62.]

## AN ACT

Making appropriations for the support of Three Thousand Men for twelve months, to be called into service at Charleston, South Carolina, under the third and fourth sections of an Act of the Congress "To raise Provisional Forces for the Confederate States of America and for other purposes."

SECTION 1. *The Congress of the Confederate States of America do enact*, That the following appropriations be made for the

support of the provisional troops called into service by the act aforesaid: Pay of the troops, six hundred and fifty-eight thousand six hundred and eighty dollars. Forage for officers' horses and quartermasters' animals and cavalry horses, twenty thousand six hundred and sixty-two dollars. Subsistence for troops, two hundred and seventy thousand dollars. Clothing for the troops, two hundred thousand dollars. Camp and garrison equipage, eighteen thousand two hundred and sixty-seven dollars and seventy-two cents. Supplies for the quartermaster's department, seventy six thousand one hundred and sixty dollars. Fuel for troops and hospitals, fifty-nine thousand nine hundred and ninety-seven dollars. Medical and hospital department, twenty thousand dollars.

SEC. 2. *And be it further enacted*, That the additional sum of eight hundred and sixty thousand two hundred and twenty-eight dollars and forty-five cents is hereby appropriated for the support of two thousand additional troops to be called into the service of the Confederate States for twelve months, at Charleston, South Carolina, whenever in the discretion of the President their services may be required.

APPROVED, March 11, 1861.

No. 63.]

## AN ACT

Making appropriations for the support of the Regular Army of the Confederate States of America for twelve months, and for other purposes.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the following appropriations are made for the support of the regular army for twelve months, viz: For expenses of recruiting and for transportation of recruits, one hundred and ninety-two thousand five hundred dollars. Pay of the army, two millions seventy thousand four hundred and eighty-four dollars. Forage for officers' horses and for cavalry and light artillery horses, one hundred and seven thousand two hundred dollars. Subsistence for troops, nine hundred and twelve thousand five hundred dollars. Clothing for the army, six hundred and forty-eight thousand seven hundred and eighty dollars. Camp and garrison equipage, sixty thousand dollars.



Supplies for the quartermaster's department—consisting of fuel for the officers, enlisted men, guards, hospitals, store houses and officers; of forage in kind for horses, mules and oxen of the quartermaster's department, at the several posts and stations and with the armies in the field; of postage on letters and packages received and sent by officers of the army on public service; expenses of courts martial and courts of inquiry, including the additional compensation of judge advocates, recorders, members and witnesses, while in that service; extra pay to soldiers employed under the direction of the quartermaster's department in the erection of barracks, quarters, storehouses and hospitals, for constant labor for periods of not less than ten days, including those employed as clerks; expense of interment of officers killed in action, or who die when on duty in the field, or at the posts on the frontiers, and of non-commissioned officers and soldiers; authorized office furniture; hire of laborers in the quartermaster's department; compensation of clerks of the officers of the quartermaster's department; for the apprehension of deserters and the expenses incident to their pursuit; for the following expenses required for the regiment of cavalry and for the four batteries of light artillery: namely, the purchase of travelling forges, blacksmith's and shoeing tools, horse and mule shoes and nails, iron and steel for shoeing; medicine for horses and mules; picket ropes, and for shoeing the horses of the corps named—three hundred and fifty-three thousand nine hundred and fifty-six dollars. For constructing barracks and other buildings at posts which it may be necessary to occupy during the year, and for repairing, altering and enlarging buildings at the established posts, including hire or commutation of quarters for officers on military duty, hire of quarters for troops, of storehouses for the safe keeping of military stores, and of grounds for summer cantonments and for temporary frontier stations, for commutation of forage for officers' horses when it cannot be drawn in kind, three hundred and fifty thousand dollars. For mileage, or the allowance made to officers of the army for the transportation of themselves and their baggage when travelling on duty without troops, escorts or supplies, thirty-five thousand dollars: *Provided*, That mileage shall not be allowed when the officer has been transferred or relieved at his own request. For transportation of the army—including the baggage of the troops when moving either by

land or water, of horse equipments, and of subsistence—from the places of purchase, and from the places of delivery under contract, to such places as the circumstances of the service may require them to be sent, of ordnance, ordnance stores and small arms, freights, wharfage, tolls, and ferriages, hire of horses, mules and oxen, and the purchase and repair of wagons, carts and drays, and of ships and other sea going vessels required for the transportation of supplies and for garrison purposes, for drayage and cartage at the several posts, hire of teamsters, transportation of funds for the disbursing departments, the expense of public transports on the various rivers, the gulf of Mexico and the Atlantic, six hundred and fifty thousand dollars. For the purchase of horses for the regiment of cavalry and four batteries of light artillery, one hundred and sixty-three thousand two hundred dollars. Contingencies of the army, fifteen thousand dollars. For the medical and hospital departments, seventy-five thousand dollars. Contingencies of the adjutant-general's department, six hundred dollars. Armament of fortifications and purchase of light artillery, two hundred and fifty thousand dollars. Purchase, manufacture and alteration of small arms, four hundred and fifty thousand dollars. For ordnance, ordnance stores and supplies, including horse equipments for the regiment of cavalry and for light batteries, one hundred and ninety-nine thousand five hundred and forty dollars.

SEC. 2. *And be it further enacted*, That the Secretary of War, under the direction of the President, be and he is hereby authorized to apply any portion of the appropriations made by this act to the support of the provisional forces which may be called into service, whenever in his opinion the same may be necessary.

APPROVED, March 11, 1861.

No. 64.]

## AN ACT

To establish a Court of Admiralty and Maritime Jurisdiction at  
Key West, in the State of Florida.

SECTION 1. *The Congress of the Confederate States of America do enact*, That a court of admiralty and maritime jurisdiction at

Key West, in the State of Florida, shall be and is hereby created, which shall have cognizance of all civil causes of admiralty and maritime jurisdiction, including all seizures under the revenue laws or laws of navigation and trade of the Confederate States, when the seizures are made or cause of complaint arises on waters which are navigable from the sea by vessels of ten or more tons burden, as well as upon the high seas, saving to suiters in all cases the right of a common law remedy, where the remedy at common law is ample and complete. The said court shall exercise jurisdiction in all that part of the State of Florida which lies south of a line drawn due east and west from the northern point of Charlotte Harbor, including the islands, keys, reefs, shoals, harbors, bays and inlets south of said line.

SEC. 2. The said court shall also have cognizance of all crimes and offences cognizable under the authority of the Confederate States arising upon the high seas and within the territorial limits aforesaid. And until otherwise provided by law of Congress, the laws of the United States in regard to crimes and offences, and to the mode of procedure, practice and trial in all criminal or penal cases, shall be in force and form the rule of practice and decision in the said court.

SEC. 3. There shall be appointed by the President, by and with the advice and consent of Congress, a judge of said court, for the term prescribed by the constitution, who shall receive compensation at the rate of three thousand five hundred dollars per annum, payable quarterly. The judge shall reside at Key West in the state aforesaid, and shall hold two regular terms of said court in each year, at Key West, the one commencing on the first Monday of May, the other on the first Monday of November in each year; and shall hold extra sessions of the same from time to time, at such places in said district as occasion may require, to despatch the business of said court. And the said court shall be at all times open for the purpose of hearing and determining all cases of admiralty and maritime jurisdiction.

SEC. 4. The said judge shall also appoint a marshal and a clerk for said court, who shall be in all respects subject to the provisions of the act entitled "An act to establish the judicial courts of the Confederate States of America," so far as the same relates to the bonds, oaths, qualifications, powers, duties, liabilities and official conduct of the clerks or marshals respectively, and to the remedy for any violation of duty, breach of bond or other offi-

cial delinquency. And they shall also have the same fees for their respective services as in said act are prescribed.

SEC. 5. The clerk shall reside and keep the records of the court at the place of holding the same, and it shall also be his duty to attend the sittings of the said court wherever held, and keep a record of its acts and proceedings, as if held at the regular place of holding the same. The said marshal shall also attend the said court wherever holden, and shall have power to appoint as many deputies as he may deem necessary, for whose official acts he shall be bound as for his own.

SEC. 6. Appeals may be allowed and writs of error sued out from said court to the supreme court of the Confederate States, in the same manner and upon the same terms as from a district court of the Confederate States.

SEC. 7. The said judge shall also appoint for said court a fit person, learned in the law, to act as attorney for the Confederate States in all matters touching their interest and in all crimes and offences against their laws. He shall receive for his services a salary of two hundred dollars per annum, payable quarterly, and the further sum of five dollars a day for each day that he may attend said court when in actual session.

SEC. 8. *And be it further enacted*, That no vessel, or any master thereof, shall be regularly employed in the business of wrecking on the coast of Florida without the license of the judge of said court; and before licensing any vessel or master, the judge shall be satisfied that the vessel is seaworthy and properly and sufficiently equipped and fitted for the business of saving property shipwrecked and in distress, and that the master thereof is trustworthy and innocent of any fraud or misconduct in relation to any property shipwrecked or saved on said coast.

SEC. 9. That the said court shall conform to the practice of the district courts when exercising admiralty and maritime jurisdiction, and shall moreover have power to make rules to govern the practice therein not inconsistent with the laws of the Confederate States.

SEC. 10. All writs and process, either mesne or final, which shall issue from said court, shall bear test of the judge of said court, and shall be under the seal and signed by the clerk thereof.

SEC. 11. This act shall take effect and be in force from and after the passage thereof.

APPROVED, March 11, 1861.

No. 65.]

## RESOLUTIONS

Providing for a Digest of Laws.

*Resolved*, That a committee of three members of this body be appointed to revise the statute laws of the United States, and report, in form of a digest, such laws as are applicable to this Confederacy, together with such changes and modifications as they would recommend for the adoption of Congress.

*Resolved further*, That the committee have leave to sit during the recess, and to employ such clerks and to order such printing as they may require, and that they be authorized to draw for the same on the appropriation for the contingent expenses of Congress.

*Resolved further*, That the committee be appointed by the President of Congress.

APPROVED, March 12, 1861.

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No. 66.]

## AN ACT

Making appropriations to carry out the provisions of "An act to provide for the public defence."

SECTION 1. *The Congress of the Confederate States of America do enact*, That to enable the President to carry into effect the provisions of the act of the Congress of the Confederate States, entitled "An act to provide for the public defence," and to provide for the pay, subsistence and transportation of such volunteer forces as may be called into service by authority of the said act, the sum of five millions of dollars, or as much thereof as may be necessary, be and the same is hereby appropriated, from any moneys in the treasury not otherwise appropriated.

APPROVED, March 12, 1861.

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No 67.]

## AN ACT

Amendatory of an Act for the organization of the Staff Departments of the Army, and an Act for the establishment and organization of the Army of the Confederate States of America.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the adjutant and inspector-general's department

shall consist of two assistant adjutants-general with the rank of lieutenant-colonel, two assistant adjutants-general with the rank of major, and four assistant adjutants-general with the rank of captain.

SEC. 2. *Be it further enacted*, That there shall be added one brigadier-general to those heretofore authorized bylaw, and that any one of the brigadier-generals of the army of the Confederate States may be assigned to the duty of adjutant and inspector-general, at the discretion of the President.

SEC. 3. *Be it further enacted*, That the quartermaster-general's department shall consist of one quartermaster-general with the rank of colonel, one assistant quartermaster-general with the rank of lieutenant-colonel, four assistant quartermasters with the rank of major, and such other officers in that department as are already provided by law.

SEC. 4. *Be it further enacted*, That the commissary-general's department shall consist of one commissary-general with the rank of colonel, one commissary with the rank of lieutenant-colonel, one commissary with the rank of major, and three commissaries with the rank of captain; and as many assistant commissaries as may from time to time be required by the service may be detailed by the War Department from the subalterns of the line, who, in addition to their pay in the line, shall receive twenty dollars per month while engaged in that service.

SEC. 5. *Be it further enacted*, That in all cases of officers who have resigned, or who may within six months tender their resignations from the army of the United States, and who have been or may be appointed to original vacancies in the army of the Confederate States, the commissions issued shall bear one and the same date, so that the relative rank of officers of each grade shall be determined by their former commissions in the United States army, held anterior to the secession of these Confederate States from the United States.

SEC. 6. *Be it further enacted*, That every officer, non-commissioned officer, musician and private shall take and subscribe the following oath or affirmation, to-wit: I, A. B., do solemnly swear or affirm (as the case may be) that while I continue in the service I will bear true faith and yield obedience to the Confederate States of America, and that I will serve them honestly and faithfully against their enemies, and that I will observe and obey the orders of the President of the Confederate States, and

the orders of the officers appointed over me, according to the rules and articles of war.

SEC. 7. *Be it further enacted*, That all laws and parts of laws militating against this act be and the same are hereby repealed.

APPROVED, March 14, 1861.

No. 69.]

## A RESOLUTION

Accepting certain Funds tendered to the Confederate States by the State of Louisiana.

WHEREAS, The convention of the state of Louisiana has adopted an ordinance as follows, to-wit :

"An ordinance to transfer certain funds to the government of the Confederate States of America.

"SEC. 1. *It is hereby ordained*, That the sum of three hundred and eighty-nine thousand two hundred and sixty-seven, forty-six one hundredths dollars, now in the hands of A. J. Guirot, State Depository, and known as the "Bullion Fund," be transferred to the government of the Confederate States of America, and that said depository be and he is hereby authorized and instructed to pay said sum upon the order of the Secretary of the Treasury of said Confederate States.

"SEC. 2. *It is further ordained*, That the sum of one hundred and forty-seven thousand five hundred and nineteen dollars and sixty-six cents, being the balance received by said State Depository from the customs since the thirty-first of January last, be transferred to said government and paid by said depository upon the order of said Secretary of the Treasury of the Confederate States."

*Be it therefore resolved by the Congress of the Confederate States of America*, That the Congress accepts with a high sense of the patriotic liberality of the state of Louisiana, the funds so generously tendered to the treasury of the Confederate States, and proffered in the ordinance aforesaid.

APPROVED, March 14, 1861.

To provide for the organization of the Navy.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the President be authorized to appoint, in the manner prescribed by law, the following commissioned officers of the navy, viz: four captains, four commanders, thirty lieutenants, five surgeons, five assistant surgeons, six paymasters and two chief engineers, and to employ as many masters, midshipmen, engineers, naval constructors, boatswains, gunners, carpenters, sailmakers and other warrant and petty officers and seamen as he may deem necessary, not to exceed in the aggregate three thousand.

SEC. 2. The annual pay of said officers shall be as follows, viz:

*Captains*, when commanding squadrons, five thousand dollars.

All other captains on duty at sea, four thousand two hundred dollars.

On other duty, three thousand six hundred dollars.

When on leave or waiting orders, three thousand dollars.

*Commanders*.—Every commander on duty at sea, for the first five years after the date of his commission, two thousand eight hundred and twenty-five dollars

For the second five years after the date of his commission, three thousand one hundred and fifty dollars.

Every commander on other duty, for the first five years after the date of his commission, two thousand six hundred and sixty-two dollars.

For the second five years after the date of his commission, two thousand eight hundred and twenty-five dollars.

All other commanders, two thousand two hundred and fifty dollars.

Lieutenants commanding at sea, two thousand five hundred and fifty dollars.

*Lieutenants*.—Every lieutenant on duty at sea, one thousand five hundred dollars.

After he shall have seen seven years' sea service in the navy, one thousand seven hundred dollars.

After he shall have seen nine years' sea service, one thousand nine hundred dollars.

After he shall have seen eleven years' sea service, two thousand and one hundred dollars.



After he shall have seen thirteen years' sea service, two thousand and two hundred and fifty dollars.

Every lieutenant on other duty shall receive one thousand five hundred dollars.

After he shall have seen seven years' sea service in the navy, one thousand six hundred dollars.

After he shall have seen nine years' sea service, one thousand seven hundred dollars.

After he shall have seen eleven years' sea service, one thousand and eight hundred dollars.

After he shall have seen thirteen years' sea service, one thousand and eight hundred and seventy-five dollars.

Every lieutenant on leave or waiting orders, one thousand two hundred dollars.

After he shall have seen seven years' sea service in the navy, one thousand two hundred and sixty-six dollars.

After he shall have seen nine years' sea service, one thousand three hundred and thirty-three dollars.

After he shall have seen eleven years' sea service, one thousand and four hundred dollars.

After he shall have seen thirteen years' sea service, one thousand and four hundred and fifty dollars.

*Masters.*—Every master in the line of promotion, when on duty as such at sea, one thousand two hundred dollars.

When on other duty, one thousand one hundred dollars.

When on leave or waiting orders, eight hundred and twenty-five dollars.

*Midshipmen.*—Every midshipman at sea, five hundred and fifty dollars.

When on other duty, five hundred dollars.

When on leave or waiting orders, four hundred and fifty dollars.

*Surgeons.*—Every surgeon on duty at sea, for the first five years after the date of his commission as surgeon, two thousand two hundred dollars.

For the second five years' after the date of his commission as surgeon, two thousand four hundred dollars.

For the third five years after the date of his commission as surgeon, two thousand six hundred dollars.

For the fourth five years after the date of his commission as surgeon, two thousand eight hundred dollars.

For twenty years' service and upwards, after the date of his commission as surgeon, three thousand dollars.

Fleet surgeons, three thousand three hundred dollars.

Every surgeon on other duty, for the first five years after the date of his commission as surgeon, two thousand dollars.

For the second five years after the date of his commission as surgeon, two thousand two hundred dollars.

For the third five years after the date of his commission as surgeon, two thousand four hundred dollars.

For the fourth five years after the date of his commission as surgeon, two thousand six hundred dollars.

For twenty years' service after the date of his commission as surgeon, two thousand eight hundred dollars.

Every surgeon on leave or waiting orders, for the first five years after the date of his commission as surgeon, one thousand six hundred dollars.

For the second five years after the date of his commission as surgeon, one thousand eight hundred dollars.

For the third five years after the date of his commission as surgeon, one thousand nine hundred dollars.

For the fourth five years after the date of his commission as surgeon, two thousand one hundred dollars.

For twenty years' service and upwards, after the date of his commission as surgeon, two thousand three hundred dollars.

*Assistant Surgeons.*—Every assistant surgeon on duty at sea, one thousand two hundred and fifty dollars.

When on other duty, one thousand and fifty dollars.

When on leave or waiting orders, eight hundred dollars.

*Paymasters.*—Every paymaster on duty at sea, for the first five years after the date of his commission, two thousand dollars.

For the second five years after the date of his commission, two thousand four hundred dollars.

For the third five years after the date of his commission, two thousand six hundred dollars.

For the fourth five years after the date of his commission, two thousand nine hundred dollars.

For twenty years and upwards after the date of his commission, three thousand one hundred dollars.

Every paymaster on other duty, for the first five years after the date of his commission, one thousand eight hundred dollars.

For the second five years after the date of his commission, two thousand one hundred dollars.

For the third five years after the date of his commission, two thousand four hundred dollars.

For the fourth five years after the date of his commission, two thousand six hundred dollars.

For twenty years' service and upwards, after the date of his commission, two thousand eight hundred dollars.

Every paymaster on leave or waiting orders, for the first five years after the date of his commission, one thousand four hundred dollars.

For the second five years after the date of his commission, one thousand six hundred dollars.

For the third five years after the date of his commission, one thousand eight hundred dollars.

For the fourth five years after the date of his commission, two thousand dollars.

For twenty years' service and upwards, after the date of his commission, two thousand two hundred and fifty dollars.

*Engineers.*—Every chief engineer on duty, for the first five years after the date of his commission, one thousand eight hundred dollars.

For the second five years after the date of his commission, two thousand two hundred dollars.

For the third five years after the date of his commission, two thousand four hundred and fifty dollars.

After fifteen years after the date of his commission, two thousand six hundred dollars.

Every chief engineer on leave or waiting orders, for the first five years after the date of his commission, one thousand two hundred dollars.

For the second five years after the date of his commission, one thousand three hundred dollars.

For the third five years after the date of his commission, one thousand four hundred dollars.

After fifteen years' service after the date of his commission, one thousand five hundred dollars.

Every first assistant engineer on duty, one thousand two hundred and fifty dollars.

When on leave or waiting orders, nine hundred dollars.

Every second assistant engineer on duty, one thousand dollars.

When on leave or waiting orders, seven hundred and fifty dollars.

Every third assistant engineer on duty, seven hundred and fifty dollars.

When on leave or waiting orders, six hundred dollars.

*Warrant Officers.*—Every boatswain, gunner, carpenter and sail-maker on duty at sea, for the first three years' sea service after the date of his warrant, one thousand dollars.

For the second three years' sea service after the date of his warrant, one thousand one hundred and fifty dollars.

For the third three years' sea service after the date of his warrant, one thousand two hundred and fifty dollars.

For the fourth three years' sea service after the date of his warrant, one thousand three hundred and fifty dollars.

For twelve years' sea service and upwards, one thousand four hundred and fifty dollars.

When on other duty:

For the first three years' of sea service after the date of warrant, eight hundred dollars.

For the second three years' sea service after the date of his warrant, nine hundred dollars.

For the third three years of sea service after the date of his warrant; one thousand dollars.

For the fourth three years' sea service after the date of his warrant, one thousand one hundred dollars.

For twelve years' sea service and upwards, one thousand two hundred dollars.

When on leave or waiting orders:

For the first three years sea service after the date of his warrant, six hundred dollars.

For the second three years' sea service after the date of his warrant, seven hundred dollars.

For the third three years' sea service after the date of his warrant, eight hundred dollars.

For the fourth three years' sea service after the date of his warrant, nine hundred dollars.

For twelve years' sea service and upwards, one thousand dollars.

*And be it further enacted,* That the commissioned officers hereinbefore provided for, and who shall not be nominated before the adjournment of Congress, may be appointed by the

President during the recess, to hold their commissions until the next session of Congress.

SEC. 3. In computing the length of service of such officers as were attached to the navy of the United States, but who have resigned, and have been or may be received into the service of the Confederate States, their period of service in the navy of the United States shall be included, and no service shall be regarded as sea service in the purview of said act but such as shall actually be performed at sea, and in vessels employed by authority of law.

SEC. 4. The pay of seamen of the navy shall be determined by the President, and may be altered by him from time to time as circumstances may require.

SEC. 5. There shall be a corps of marines, to consist of one major, one quartermaster, one paymaster, one adjutant, one sergeant-major, one quartermaster-sergeant, and six companies, each company to consist of one captain, one first and one second lieutenant, four sergeants, four corporals, one hundred men and two musicians; and the pay and allowances of the officers and enlisted men shall be the same as that of the officers and enlisted men of like grade in the infantry of the army, except that the ration of the enlisted marines shall be the ration allowed by law to seamen.

SEC. 6. The following officers shall be attached to the Navy Department, to-wit: An officer, not below the grade of commander, who shall be charged with the purchase or preparation of ordnance, ordnance stores and supplies and equipments, and with hydrography, and with such other duties as the Secretary of the Navy may from time to time assign to him; an officer not below the grade of lieutenant, to be designated as the officer of orders and detail, who shall, under the orders of the Secretary of the Navy, prepare and issue all orders and details for service, and who shall also, under the direction of the Secretary of the Navy, have charge of all matters and things connected with courts martial and courts of inquiry, and with the custody of all records and papers thereunto appertaining, and perform such other duties relating to the personnel of the navy, as the secretary may from time to time direct; a surgeon or an assistant surgeon, who shall, under the direction of the Secretary of the Navy, make all purchases of medicines and medical supplies for the navy, and perform such other

duties appertaining to the medical department as the secretary may from time to time direct; a paymaster, who shall, under the direction of the Secretary of the Navy, make all contracts for or purchases of provisions, clothing and coal for the use of the navy, and perform such other duties as the secretary may direct. The Secretary of the Navy is authorized to appoint one clerk to aid each of the above officers in the discharge of his duties, whose annual salary shall not exceed fifteen hundred dollars each; but the officers therein detailed for duty, shall receive no compensation for their services beyond their regular pay as on other duty.

SEC. 7. It shall be the duty of the quartermaster of the marine corps to visit the different posts where portions of the corps may be stationed, as often as may be necessary for the proper discharge of his duties.

SEC. 8. It shall be the duty of the Secretary of the Navy to prepare and publish regulations for the general government of all persons connected with or employed in the naval service, which regulations shall take effect as soon as they shall be approved by the President and published.

SEC. 9. All laws of the United States heretofore enacted for the government of the officers, seamen and marines of the navy of the United States, that are not inconsistent with the provisions of this act, are hereby adopted and applied to the officers, seamen and marines of the navy of the Confederate States.

SEC. 10. The President may determine the relative and assimilated rank which officers of the navy shall hold toward those of the army.

APPROVED, March 16, 1861.

No. 71.]

## AN ACT

To regulate Foreign Coins in the Confederate States.

SECTION 1. *The Congress of the Confederate States of America do enact*, That all laws and parts of laws now in force for the regulation of the mint and branch mints of the United States, and for the government of the officers and persons employed therein, and for the punishment of all offences connected with the mint or coinage of the United States, shall be and they are

hereby declared to be in full force in relation to the mints of New Orleans and Dahlonega.

SEC. 2. That all laws now in force in reference to the coins of the United States, and the striking and coining of the same, shall as far as applicable have full force and effect in relation to the coins therein authorized, whether the said laws are penal or otherwise, and whether they are for preventing counterfeiting or debasement, for protecting the currency, for regulating and guarding the process of striking and coining and the preparations therefor, or for the security of the coin, or for any other purpose.

SEC. 3. That the silver coins issued in conformity with the law of the United States of twenty-first of February and third of March, eighteen hundred and fifty-three, shall be legal tenders in payment of debts for all sums not exceeding ten dollars, all laws to the contrary notwithstanding.

SEC. 4. That the following foreign gold coin shall pass current as money within the Confederate States of America, and be receivable for the payment of all debts and demands at the following rates, that is to say: The sovereign of England, of no less a weight than five pennyweights and three grains, and of the fineness of  $(915\frac{1}{2})$  nine hundred fifteen and one-half thousandths, shall be deemed equal to four dollars and eighty-two cents. The Napoleon, of the weight of not less than (4 dwts.,  $3\frac{1}{2}$  grs.) four pennyweights three grains and one-half, and of a fineness of not less than (899) eight hundred ninety-ninth thousandths, shall be deemed equal to three dollars and eighty-two cents. The Spanish and Mexican doubloons, of no less a weight than (17 dwts.,  $8\frac{1}{2}$  grs.) seventeen pennyweights eight grains and one-half, and of the fineness of not less than (899) eight hundred ninety-ninth thousandths, shall be deemed equal to fifteen dollars and fifty-three cents.

SEC. 5. That the following silver coins shall pass current as money within the Confederate States of America, and be received in payment for all debts and demands at the following rates, that is to say: The American dollar,  $(412\frac{1}{2}$  g.) four hundred twelve and one-half grains, and the dollar of Mexico, of not less than (897) eight hundred ninety-seventh thousandths in fineness and (415 g.) four hundred fifteen grains in weight, shall be deemed equal to one dollar and two cents. The five-franc piece, of not less than (900) nine hundred thousandths in fineness and

(384) three hundred eighty-four grains in weight, shall be deemed equal to ninety-five cents.

*Be it further enacted*, That all laws and parts of laws inconsistent with this act be and the same are hereby repealed.

APPROVED, March 14, 1861.

No. 72.]

## RESOLUTIONS

In reference to Forts, Dock-yards, Reservations, and Property ceded to the Confederate States.

*Resolved by the Congress of the Confederate States*, That the Congress do recommend to the respective states to cede the forts, arsenals, navy-yards, dock-yards and other public establishments within their respective limits to the Confederate States, and moreover, to cede so much of the lands reserved heretofore by the government of the United States, or other public vacant lands in their respective limits as may be necessary for timber or lumber for naval or other purposes of public concern; and that the President of Congress be requested to communicate these resolutions and the accompanying report to the governors of the respective states.

*Resolved further*, That in case of such cession, the President be and he is hereby authorized and empowered to take charge of any such property ceded.

APPROVED, March 15, 1861.

No. 73.]

## AN ACT

Making appropriations for the Legislative, Executive and Judicial expenses of Government for the year ending 4th of February, eighteen hundred and sixty-two.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the following sums be and the same are hereby appropriated, out of any money in the treasury not otherwise appropriated, for the objects hereafter expressed, for the year ending the fourth of February, eighteen hundred and sixty-two, namely:



*Legislative.*—For compensation and mileage of members of Congress, twenty-six thousand seven hundred and forty dollars.

For compensation of the officers, clerks and messengers, and others employed by Congress, nine thousand dollars.

For the contingent expenses of Congress, twenty thousand dollars.

*Executive.*—For compensation of the President of the Confederate States, twenty-five thousand dollars.

For compensation of the Vice President of the Confederate States, six thousand dollars.

For compensation of the private secretary of the President, and messenger, one thousand seven hundred dollars.

For contingent expenses of the executive office three hundred and fifty dollars.

*Department of State.*—For compensation of the Secretary of State, and assistant secretary, clerks and messenger, twelve thousand two hundred dollars.

For the incidental and contingent expenses of said department, thirty-two thousand dollars.

*Treasury Department.*—For compensation of Secretary of the Treasury, assistant secretary of the treasury, comptroller, auditor, treasurer and register, clerks and messengers, including those employed in the several bureaus of the Treasury Department, fifty-eight thousand eight hundred dollars.

For the incidental and contingent expenses of said department, including the bureaus, twelve thousand dollars.

*War Department.*—For compensation of Secretary of War, chief of bureau, clerks and messengers, including the clerks and messengers in the several offices of adjutant-general, quartermaster-general, commissary-general, surgeon-general, chief engineer and artillery, thirty-four thousand dollars.

For incidental and contingent expenses of said department, twenty-five thousand dollars.

*Navy Department.*—For compensation of Secretary of the Navy, clerks and messengers in his office, twelve thousand three hundred dollars.

For the incidental and contingent expenses of the Navy Department, five thousand dollars.

*Post-Office Department.*—For compensation of the Postmaster General, clerks and messengers in his office, twenty-nine thousand nine hundred dollars.

For incidental and contingent expenses of the Post-Office Department, fifteen thousand dollars.

*Department of Justice.*—For compensation of the Attorney-General, clerks and messengers in his department, ten thousand two hundred dollars.

For incidental and contingent expenses of said department, three thousand dollars.

*Judiciary.*—For salaries of judges, attorneys, marshals, and incidental and contingent expenses of courts, fifty thousand dollars.

*Mint and Independent Treasury.*—For compensation of officers, incidental and contingent expenses, including wages of workmen and pay of laborers, if necessary for the mints and independent treasury, the sum of eighty thousand dollars.

*Foreign Intercourse.*—For salaries of ministers, commissioners, secretaries or other officers employed by the government in relation to intercourse with foreign governments, and for incidental, miscellaneous and contingent necessities and expenses connected with said intercourse with foreign nations, one hundred thousand dollars.

*Lighthouses.*—For supplying the lighthouses and beacon lights with oil, wicks, glass, chimneys, and other expenses of the same, repairing and keeping in repair the lighting apparatus, salaries of keepers and assistants within the jurisdiction of the Confederate States, one hundred and fifty thousand dollars.

*Expenses of Collecting Revenue.*—For expenses of collecting revenue from customs at the several ports of entry and delivery as now established by law, and which may hereafter be designated under the authority given to the Secretary of the Treasury, in the respective states of the Confederate States of America, five hundred and twenty-five thousand dollars.

For expenses of engraving bonds and certificates of stock, under the acts to raise money for the support of the government, and to provide for the defence of the Confederate States of America, and to issue treasury notes, twenty thousand dollars.

*Executive Mansion.*—For rent of house for President of the Confederate States, five thousand dollars.

*Miscellaneous.*—For necessities and exigencies under laws already passed, or which may be passed, or from causes which now exist, or may hereafter arise, and unforeseen emergencies,

there is hereby appropriated the sum of two hundred thousand dollars, subject to the requisition and under the control of the President of the Confederate States of America.

APPROVED, March 15, 1861.

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No. 74.] AN ACT

To authorize the appointment of Commercial Agents or Consuls to foreign ports.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the President be and he is hereby authorized to appoint such commercial agents or consuls as in his opinion the commercial interests of the Confederacy may require; and all such commercial agents or consuls shall charge the fees usual under the laws of the United States: *Provided, however*, That the amounts of money obtained by such fees shall be reported to the Treasury Department, and the salaries shall not be greater than the laws of the United States allow.

APPROVED, March 15, 1861.

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No. 75.] AN ACT

To authorize the construction or purchase of Ten Gunboats.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the President be and he is hereby authorized to cause to be constructed or purchased ten steam gun boats, for coast defence, whereof five shall be of a tonnage not exceeding seven hundred and fifty tons, and five of a tonnage not exceeding one thousand tons.

APPROVED, March 15, 1861.

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No. 76.] AN ACT

To define and fix the pay of the Officers of the Congress of the Provisional Government.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the secretary of the Congress shall receive an

annual compensation of twenty-five hundred dollars, and at that rate during the continuance of the provisional government; that the assistant secretary, journal clerk and reading clerk, shall each receive an annual compensation of two thousand dollars, as aforesaid; that the door-keeper shall receive an annual compensation of twelve hundred dollars, as aforesaid; that the messenger shall receive an annual compensation of one thousand dollars, as aforesaid.

SEC. 2. That the extra clerk employed by the day to enrol or engross the acts of the Congress shall receive six dollars per diem, to be paid on the warrant of the President of the Congress.

APPROVED, March 15, 1861.

No. 77.]

## AN ACT

To amend an act entitled "An act to establish a Court of Admiralty and Maritime Jurisdiction at Key West, in the State of Florida."

SECTION 1. *The Congress of the Confederate States of America do enact*, That so much of an act entitled "An act to establish a Court of Admiralty and Maritime Jurisdiction at Key West, in the State of Florida," as provides for the appointment of a district attorney and marshal of said court by the judge thereof, be and the same is hereby repealed, and it is hereby made the duty of the President of the Confederate States to appoint for said court a fit person, learned in the law, to act as attorney for the Confederate States in all crimes and offences against their laws, and in all other matters touching their interest. The President shall also appoint a marshal for said court; and said attorney and marshal shall receive such pay in every respect, and perform such services respectively as are provided for and required of attorneys and marshals by an act entitled "An act to establish the Judicial Courts of the Confederate States of America."

APPROVED, March 15, 1861.

No. 78.]

## AN ACT

To provide for the payment of Light Money in the Confederate States.

*The Congress of the Confederate States of America do enact,* That a duty of five cents per ton, to be denominated "Light Money," shall be levied and collected on all ships or vessels which, after the first day of May next, may enter the seaports of the Confederate States from any sea port, to be collected in the manner heretofore provided by law as to tonnage duties: *Provided, however,* That on all vessels trading regularly between ports of the Confederate States the said duties shall not be levied and collected oftener than once in every three months.

APPROVED, March 16, 1861.

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No 79.]

## AN ACT

To appoint a Second Auditor of the Treasury.

*The Congress of the Confederate States of America do enact,* That there shall be appointed by the President, by and with the advice and consent of the Congress, an additional officer for the Treasury Department, to be called the Second Auditor of the Treasury, who shall be charged with the auditing of accounts for the War Department, and who shall receive for his services a salary of three thousand dollars per annum.

APPROVED, March 15, 1861.

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No. 80.]

## AN ACT

Authorizing the President alone to make certain appointments.

*The Congress of the Confederate States of America do enact,* That during the recess of this Congress the President shall have power to make appointments of such inferior officers as by the Constitution of this Provisional Government the Congress has authority to vest in him alone, anything in any law heretofore passed to the contrary notwithstanding.

APPROVED, March 16, 1861.

Vesting certain powers in the Postmaster-General.

SECTION 1. *The Congress of the Confederate States of America do enact*, That in the event of a discontinuance of the postal service in any of the Confederate States, as now carried on by the government of the United States, before the Postmaster General of this Confederacy shall have prepared the new service, under the provisions of the act already passed by this Congress, it shall be lawful for the said Postmaster General to renew, provisionally, the contracts under which the service is now performed, and to continue in office the several postmasters and other officers now employed in such postal service, until he is prepared to replace said service and said officers by new contracts and appointments.

SEC. 2. That the Postmaster General, at a time to be fixed by him, is hereby authorized to advertise and enter into contracts for carrying the mail with due celerity, certainty and security, on the post routes within the Confederate States, other than railroads and steamboats, in accordance with the acts passed by this Congress.

SEC. 3. That after such contracts shall have been entered into, on and after a day to be designated by the proclamation of the Postmaster General, all conveyance of mails within the limits of the Confederate States, except by authority of the Postmaster General is hereby prohibited.

SEC. 4. *Be it further enacted*, That the Postmaster General have power to issue circular instructions to the several postmasters and other officers still performing service under the appointment of the United States, in order to enforce the rendition of the proper accounts and payment of the moneys collected by them per account of the United States, until the Postmaster General shall have issued his proclamation announcing that the former service is discontinued and is replaced by the new service organized under the authority of this government.

SEC. 5. That it shall be lawful for the Postmaster General to allow express and other chartered companies to carry letters and all mail matter of every description, whether the same be enclosed in stamped envelopes or pre-paid by stamps or money; but if the same be pre-paid in money, the money shall be paid to some Postmaster, who shall stamp the same paid, and shall

account to the Post-Office Department for the same, in the same manner as for letters sent by the mail; and if prepaid by stamps, then the express or other company receiving such letters for delivery shall obliterate such stamps, under the penalty of five hundred dollars for each failure, to be recovered by action of debt in any court having jurisdiction thereof, in the name of the Postmaster General, for the use of the Confederate States; but if said letters or mail matter shall be received by such express or other company, not for delivery, but to be mailed, then the matter so carried shall be pre-paid at the same rate that the existing law requires it to be paid from the point where it may be received by such company to the point of its destination, and the postmaster, where such company may mail the same, shall deface the stamps upon the same.

SEC. 6. *Be it further enacted*, That each agent of any company who may carry letters under the provisions of this act, shall be required to take an oath that he will faithfully comply with the law of the Confederate States relating to the carrying of letters or other mail matter and obliterating postage stamps, which oath may be administered by any justice of the peace, and shall be in writing, and signed by such agent or messenger, and filed in the Post office Department.

APPROVED, March 15, 1861.

No. 82.]

## AN ACT

To amend the laws relative to the compensation of the Attorneys of the Confederate States.

SECTION 1. *The Congress of the Confederate States of America do enact*, That in addition to the compensation now allowed by law to the attorneys of the Confederate States, there shall be hereafter allowed to them for their services to the Confederate States the following fees: For drafting the declaration writ, information or other pleadings necessary to bring the cause to an issue, ten dollars; for arguing questions of law arising on the pleadings or demurer, ten dollars—but not more than one such fee shall be allowed in any cause; for drawing indictments on criminal informations, five dollars; for collecting and paying over to the Confederate States moneys, a commission of one per

cent. on the amount collected and paid, whether the same have been collected on execution or otherwise; for attendance on a reference from the court to a master or commissioner, five dollars a day; for examining a land title and written opinion thereon, twenty dollars; for making abstract of title when required, twenty dollars; for examining and making report on any question or subject when thereto required by the President or any head of department, thirty dollars; for services in any suit in a state court in which it may be necessary to appear in behalf of the Confederate States, twenty dollars; for services in any case arising under the extradition treaties of the Confederate States, twenty-five dollars.

SEC. 2. *Be it further enacted*, That this act take effect and be in force from and after the passage thereof.

APPROVED, March 15, 1861.

No. 83.]

## AN ACT

To establish the Judicial Courts of the Confederate States of America.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the Supreme Court of the Confederate States shall hold annually, at the seat of government, one session, commencing the first Monday of January, and continue until the business of said court is disposed of.

SEC. 2. That each of the Confederate States shall constitute one district, in which there shall be a court called a District Court, to consist of one judge, who shall reside in the state for which he is appointed, and shall receive a salary equal to that paid to a judge of the court of the highest jurisdiction in the state where he resides, payable quarterly.

SEC. 3. *And be it further enacted*, That the Supreme Court may, by any one or more of its judges being present, be adjourned from day to day until a quorum be convened; and that a district court, in case of the inability of the judge to attend at the commencement of a session, may be adjourned by the marshal of the district from day to day for three successive days, and at the close of the third day the same shall stand adjourned to the next regular term, if the judge do not appear; and in all cases of failure to hold the court, all process, pleadings and proceedings, of what



nature soever, pending before the said court, shall be continued of course.

SEC. 4. There shall be a marshal and one or more clerks appointed for each court—the marshal by the President of the Confederate States, and the clerks by the judge of said court—and said clerks shall not be connected with the said judge by blood or marriage, who shall hold their offices during the provisional government, subject to removal by the said judge. They shall each take the oath or affirmation prescribed in the constitution, and for the faithful discharge of the duties of their respective offices. They shall each give bond with sureties, to be approved by the judge, for the faithful discharge of their respective duties, in the penalty and for the amount which may be prescribed by the judge; but that of the marshal in no instance shall be less than twenty thousand dollars. The marshal may appoint as many deputies as may be necessary, for whose acts he and his sureties shall be bound as for his own.

SEC. 5. It shall be the duty of the marshal to attend the court when sitting in his district; and the marshal of the district in which the Supreme Court shall be held, shall attend the sessions of said court. He shall by himself or his deputy execute throughout his district all lawful precepts directed to him, and issued under the authority of the Confederate States, and he shall have power to command a *posse comitatus* in the execution of his duty.

SEC. 6. *And be it further enacted*, That in all cases in which the marshal or his deputy shall be a party, the writs and precepts therein shall be directed to some disinterested person, to be appointed by the court or judge thereof, and such person is hereby authorized to execute and return the same. And in case of the death, resignation or removal of any marshal, his deputy or deputies shall continue in office, unless otherwise removed, and shall execute the same in the name of the deceased, resigned or removed marshal, until another marshal shall be appointed and qualified; and the defaults or misfeasances in office of such deputy or deputies in the meantime, as well as before, shall be adjudged a breach of the condition of the bond given as before directed by the marshal who appointed them; and the executor or administrator of the deceased marshal shall have like remedy for the defaults and misfeasances in office of such deputy or deputies, during such interval as the marshal would be entitled

to if he had continued in life or in office and in the exercise of his said office until his successor was appointed and qualified; and every marshal or deputy, when removed from office, or when the term for which the marshal is appointed shall expire, shall have power, notwithstanding, to execute all such precepts and process as may be in their hand respectively at the time of such removal or expiration of office, until the next term of the court; and the marshal shall be held answerable for the delivery to his successor of all prisoners which may be in his custody at the time of his removal or resignation, or when the term for which he is appointed shall expire, and for that purpose may retain such prisoners in his custody until his successor shall be appointed and qualified as the law directs; or he may deliver his prisoners to the keeper of one of the jails of the state in which he is marshal, in cases where by law of such state it is made the duty of jailors to receive them.

SEC. 7. All writs and process, either mesne or final, which shall issue from the Supreme Court, shall bear test in the name of either of the judges thereof; and all issued from the district court shall bear test of the judge of such court, and shall be under the seal of the court from whence they issue, and be signed by the clerk thereof. The seals of the Supreme and district courts to be provided by the respective judges of the same.

SEC. 8. The judge of each district shall appoint the times and places of holding the courts in his district, and where, under the laws of the United States, his state was divided into two or more districts, he shall annually hold not less than two terms of his court in each of these districts, as they existed on the first day of November, 1860. But in Louisiana he shall only be required to hold his court out of New Orleans at such time or times as he may consider the public interest requires him to do, and the counties, districts or parishes which constitute the divisions of his district, shall be the same as those which constituted the different districts under the laws aforesaid.

SEC. 9. The said judges, before they proceed to execute the duties of their respective offices, shall take the oath or affirmation prescribed in the constitution, and shall also swear or affirm to administer justice without respect to persons, and to do equal right to the poor and to the rich, and faithfully and impartially to perform and discharge all the duties of his office agreeably to

the constitution and laws of the Confederate States, to the best of his ability.

SEC. 10. The district courts shall have jurisdiction, concurrent with the courts of the several states, of all civil suits at common law or in equity where the matter in dispute, exclusive of costs, exceeds the sum or value of five thousand dollars, and where the character of the parties is such as by the constitution to authorize said court to entertain jurisdiction. But no person shall be arrested or summoned in any such suit in one division of district for trial in another; and no civil suit shall be brought before any of said courts against an inhabitant of the Confederate States by any original process in any other district than that of which he is an inhabitant, nor shall any district court have cognizance of any suit to recover the contents of any promissory note or other chose in action in favor of an assignee or transferee, unless a suit might have been prosecuted in such court to recover such contents if no assignment or transfer had been made, except in cases of foreign bills of exchange.

SEC. 11. Upon joint bills, bonds, notes or obligations, suits may be brought against any one or more of the parties, except that separate suits shall not be brought against joint parties thereto residing in the same district; and when several actions shall be brought against persons who might be legally joined in one action, the plaintiff, if judgment be given in his favor, shall not recover the costs of more than one action.

SEC. 12. Suits in equity shall not be sustained in any of the courts of the Confederate States in any case where plain, adequate remedy may be had at law. And in any state in which there is or may be no separate court of equity, the district court shall administer and decide on matters of equity according to the course of practice in the courts of such state.

SEC. 13. The laws of the several states, except where the constitution, treaties or statutes of the Confederate States shall otherwise require or provide, shall be regarded as rules of decision in the courts of the Confederate States, in cases where they apply. And where the decision of the highest court in a state has become a rule of property, the same shall be adopted as a rule in the courts of the Confederate States, in cases in which the laws of such state apply.

SEC. 14. Except the style, the forms of writs and executions and other process, and the forms and modes of proceeding in

the progress and trial of suits, and in enforcing the judgments in the district courts of the Confederate States in cases at law, shall be the same in each of said states respectively as are now in use in the highest court of original general jurisdiction of the same; and in proceedings in equity, according to the principles, laws and rules which govern courts of equity in such state. And whenever any state shall, by law, change such forms or modes of proceeding in its own courts, such change shall be applicable to the forms and modes of proceeding in the said district courts held in such state, unless Congress shall otherwise provide by law. And the said district courts shall likewise have power to grant new trials.

SEC. 15. The costs and fees of clerks and marshals in the said district courts shall be the same in all cases, both civil and criminal, as are allowed by the law of the state in which such court is held, for similar services, to the officers of such state in the highest court of original jurisdiction therein, except that the marshal shall be entitled to mileage at the rate of five cents per mile for the service of process on persons residing out of the county, district or parish in which the court is holden, such mileage to be computed for the distance actually travelled in the service of such process, upon the most direct route, computed from the place of holding such court; and if there be more than one defendant in the same case in one county, but one charge for mileage shall be made.

SEC. 16. Both the district and supreme courts, and the judges thereof, out of term, shall have power to issue writs of injunction, *scire facias* and *habeas corpus*, and all other writs not specially provided for by statute which may be necessary for the exercise of their respective jurisdictions and agreeable to the principles and usages of law: *Provided*, That writs of *habeas corpus* shall in no case extend to prisoners, unless when they are in custody under or by virtue of the authority of the Confederate States.

SEC. 17. The rules for taking the deposition of any witnesses in a case at law whose attendance cannot be procured, shall be the same as are in force by law in the highest court of original jurisdiction in the state in which such depositions are to be used; and they shall be read in evidence upon the trial of the cause, subject to all legal exceptions to which they would be liable in the said court of the state. No witness, under any cir-

cumstances, shall be compelled to attend a court in a civil cause in any other district or division than that in which he resides. And where his attendance cannot be procured, his deposition may be taken. In suits in equity, deposition shall be taken under a commission issued under the seal of the court, in the same manner and under the same rules and regulations in and by which depositions may be taken in the highest court of original equity jurisdiction in the state in which such depositions are to be used, and when so taken they shall be read upon the hearing of the cause, if subject to no legal exception; and the said district courts may also on application thereto as a court of equity, direct depositions to be taken to perpetuate testimony relating to matters cognizable in any court of the Confederate States, such depositions to be taken according to the law and practice in the state in which the order is made: *Provided*, That in Louisiana and Texas depositions may in all cases be taken according to the laws regulating the practice of the highest courts of original jurisdiction in these states.

SEC. 18. The judges of the several district courts may, each for his own district, appoint as many commissioners as he may deem necessary, to administer oaths and take acknowledgments of deeds or other papers and take depositions, which acts of such commissioner shall have the same force and effect in all the Confederate States and the courts thereof as if done by a judge of such court. And any person swearing falsely in any oath or matter before such commissioner shall, upon conviction, be liable to the same punishment as if the oath had been made before such judge. And the same fees shall be allowed such commissioner as are allowed for similar services by the laws of the state in which they are performed. All the powers and authority conferred on commissioners in and by the preceding clause are hereby vested in and may be exercised by any legally appointed notary public in any of the Confederate States.

SEC. 19. In all the courts of the Confederate States the parties shall have a right to be heard either by themselves or counsel.

SEC. 20. Where judgments are a mortgage or lien upon the property of a defendant in any of the states, they shall have the same effect or lien when rendered in one of the district courts of the Confederate States as if rendered in a state court, and be subject to the same rules as to enrollment, or recording of

judgments or abstracts of judgments. And the lien of executions shall be the same as in the courts of the state where such district court sits. "But in all cases of conflict between levies of process from the state and federal courts, the first levy shall have priority."

SEC. 21. The mode of proof by oral testimony and examination of witnesses in open court in trials at law shall be the same in the said district courts as in the court of the highest original jurisdiction in the state in which such trial takes place; and the compensation of witnesses shall likewise be the same. The rules to determine the competency of witnesses shall also be the same.

SEC. 22. In any suit depending in any of the courts of the Confederate States, if either of the parties should die and the cause of action should survive, such suit may be revived in the same manner as in similar cases in the courts of the highest original jurisdiction in the state in which the cause is pending, and when there are two or more plaintiffs and defendants, and one or more of them should die, the suits shall not be thereby abated, but such death being suggested on the record, the suit may then proceed in the name of the survivor or survivors; or where the law of any state permits the representative of the deceased to be joined in such suit, the same may be done in the district court; or if the cause should be pending in the Supreme Court, then it may be revived by *scire facias* against the executor or administrator, issued from the office of the clerk of such court, returnable to the next term thereof and duly served by the marshal twenty days before the sitting of such court.

SEC. 23. The said district court shall have power in the trial of actions at law, on motion and due notice thereof, to require the parties to produce books or writings in their possession or power which contain evidence pertinent to the issue; and if the plaintiff shall fail to comply with such order, judgment of nonsuit may be given against him; and if the defendant shall so fail, then judgment by default may be rendered against him.

SEC. 24. The courts of the Confederate States shall have power to inflict punishment for contempts of court, but such power shall not be construed to extend to any cases except misbehavior in the presence of the court, or so near thereto as to obstruct the administration of justice, the misbehavior of any of the officers of said court in their official transactions, and the

disobedience, resistance or obstruction by any person whatsoever of the process, order, rule, decree or command of said courts; but such punishment shall not exceed the imposition of a fine of one hundred dollars and imprisonment during the term of the court.

SEC. 25. Jurors, in all cases, to serve in the courts of the Confederate States, shall have the like qualifications, and be entitled to the like exemptions, as jurors in the highest court of original jurisdiction of the state in which the district court is held, and shall be selected by lot or otherwise, according to the form and mode of forming such juries in the courts of the state, in so far as such mode may be practicable; and for this purpose, the district courts shall have power to make all rules and regulations necessary to conform to the selection and empanneling of juries to the laws of the state, so as to secure an impartial trial, without needless expense, and without undue burden to the citizens of any part of the district. And when from any cause there shall not be a jury to determine any criminal or civil case, the court may direct a jury to be summoned of the bystanders to complete the pannel. And it shall be the duty of the judge, thirty days before the holding of the first court in his district under this law, to direct the marshal in what manner and to what extent to summons jurors for such court.

The compensation to jurors in both civil and criminal cases shall be the same as is allowed to jurors in courts of the highest original jurisdiction in the state in which such court is held; and if in such state court there be no allowance for mileage, the jurors shall be allowed five cents per mile for travelling from their respective places of abode to the place where the court is holden, and the same for returning.

SEC. 26. In all suits on bonds, agreements, or specialities for penalties, or breach of covenant, the amount recovered by the default or confession of the defendant or upon demurrer, shall be the sum actually due; and when the sum for which judgment is rendered is uncertain, the same shall be assessed by a jury. On all judgments in civil cases for the payment of money, interest shall be allowed at such rate as is allowed upon judgments rendered in the highest court of original jurisdiction in the state in which such district court sits.

SEC. 27. Every mistake, omission, defect or imperfection in the process, declaration, pleading, or any of the proceedings in

any cause, or in the judgment, shall be amended from time to time, at the instance of either party, according to the several statutes of amendments or jeofails in the state in which the court sits, so as to secure a trial upon the merits, and that justice may be done, subject to any rule for the costs of amendment which the judge may impose.

SEC. 28. Where, in any state, there are two or more divisions of the district court, all writs of execution upon any judgment rendered in the court of either division may run and be executed in any part of such state, but shall be issued and made returnable to the court in which the judgment was rendered.

SEC. 29. A writ of error, when authorized by law to operate as a supersedeas and stay of execution, shall only have that effect when a copy thereof and citation have been served on the adverse party or his counsel of record; but no execution shall issue in less than ten days from the rendition of the judgment or decree, unless upon affidavit made, showing a necessity therefor.

SEC. 30. Should the marshal or clerk fail to pay over to the party entitled thereto, or to his attorney of record, upon demand made, any money which may have come to his hands by virtue of any order or process of the court, such money, with legal interest and ten per cent. damages, may be recovered from him and his sureties in his official bond, upon motion and three days' notice in the court of which he is marshal or clerk.

SEC. 31. There shall be appointed in each of the districts, by the President, a meet person, learned in the law, to act as attorney for the Confederate States in such district, who shall be sworn or affirmed to the faithful performance of his duty in office, and to support the constitution; and it shall be his duty to prosecute, in such district, all delinquents for crimes and offences cognizable in such court under the laws of the Confederate States, and to prosecute or defend all civil actions in which the Confederate States shall be concerned, except before the Supreme Court, in the district in which that court shall be holden. And he shall receive as compensation for his services a salary of two hundred dollars per annum, payable quarterly, and ten dollars per diem for every day that he is engaged in attending said court, together with such fees as shall hereafter be prescribed by law. And where there are three divisions in the district for which he is appointed, he shall be allowed mileage, at the rate of ten cents per mile, for going to and returning from



the court which is most distant from his place of residence, to be computed on the most usual line of travel; and in case of the absence of such attorney from any term of the court, the presiding judge may appoint a fit person to act for him for the term.

SEC. 32. Whenever a marshal shall sell any lands or tenements by virtue of any process in his hands, and shall die, or in any manner go out of office before making a deed to the same, the court to which the process is returnable may, upon written application and notice thereof to the plaintiff and defendant, or their counsel, and upon a statement and proof of the facts, direct his successor to make the necessary deed therefor upon the payment of any purchase money or costs remaining unpaid.

SEC. 33. In any civil case in any of the courts of the Confederate States, the plaintiff may, upon motion, be required to give security for the costs, upon such terms as the court by its rules may prescribe; and if he should fail to comply within the time allowed, the suit shall be dismissed at the next term, unless good cause be shown against it. And the said district courts shall have power, from time to time, to make all needful rules for the conduct and dispatch of business therein, not inconsistent with the constitution and laws of the Confederate States, or with the provisions of this act.

SEC. 34. The laws of the several states abolishing imprisonment for debt, and providing relief for debtors held in custody, shall take effect in favor of all persons held in custody for debt under the process of the federal courts of the Confederacy.

SEC. 35. *And be it further enacted,* That the said district courts shall have exclusive cognizance of all crimes and offences cognizable under the authority of the Confederate States, except where the laws of said Confederate States shall otherwise provide.

SEC. 36. The said courts, in term, shall have power to direct a grand jury to be summoned and empaneled, whenever in its judgment it may be proper to do so, and at such time as it may direct. After such jury is empaneled the proceedings shall conform, as nearly as may be, to the law and practice of the court of the highest original criminal jurisdiction in the state where such district court is held. But no grand jury shall be summoned unless upon the order of the judge or court, and if

made by the judge out of term, shall be in writing under his hand and seal.

SEC. 37. Until otherwise provided by law of Congress, the laws of the United States in regard to crimes and offences, and to the mode of procedure, practice and trial in all criminal cases shall be in force, and form the rule of practice and decision in the district courts of the Confederate States, and where there is no such law governing the practice, then the rule and course shall conform as nearly as practicable to the practice established by law of the state court of highest original jurisdiction in which the said district court sits. And this provision shall extend to the rules of evidence and mode of examining witnesses in such cases.

SEC. 38. Writs of error or appeals to the Supreme Court of the Confederate States shall be allowed the accused in all cases in which the punishment or penalty upon conviction is death or imprisonment in the penitentiary, in the same manner and upon the same terms as are allowed in courts of highest original criminal jurisdiction in the state in which such district court is holden; and the remedy upon any bond given in such case, shall be the same as in the courts of the state from which such appeal or writ of error is taken. Such writ of error shall operate as a stay to the execution of the sentence or judgment, upon the execution of such bond as may be required by the state law in similar cases; and if such sentence or judgment shall be affirmed, and the time for executing the same shall have passed, the Supreme Court shall give such judgment or pronounce such sentence as the law prescribes, and appoint the time and place for carrying the same into effect by the marshal of the court from which said writ of error emanated.

SEC. 39. The said district courts shall have original cognizance of all civil causes of admiralty and maritime jurisdiction, including all seizures under the revenue laws or laws of navigation and trade of the Confederate States, when the seizures or cause of complaint arises on waters which are navigable from the sea by vessels of one hundred or more tons burden, within the respective districts as well as upon the high seas; saving to suitors in all cases the right of a common law remedy, where the remedy at common law is ample and complete. And said district courts, as courts of admiralty, shall be deemed always open for the purpose of filing libels, petitions, answers and other

pleadings, for issuing and returning mesne and final process and commissions, and for making all interlocutory orders or rules which may be necessary.

And the laws of the United States and the rules of court in reference to admiralty proceedings in force in the admiralty courts of the United States of America on the twentieth day of December, one thousand eight hundred and sixty, so far as the same may be applicable, and are not inconsistent with the constitution and laws of the Confederate States, are hereby continued in full force and effect in the courts of the Confederate States, until altered or repealed by law.

SEC. 40. Final judgments and decrees in civil actions, and final decrees in equity in a district court, where the matter in dispute exceeds in value the sum of five thousand dollars, exclusive of costs, may be re-examined, and reversed or affirmed upon a writ of error in the Supreme Court, the citation in such case being signed by a judge of the district court or of the Supreme Court, and the adverse party having at least thirty days' notice. Writs of error, shall not be brought but within two years after rendering or passing the judgment or decree complained of, or in case the person entitled to such writ of [error] be an infant, femme covert, non compos mentis or imprisoned, then within two years, as aforesaid, exclusive of the time of such disability. And every judge signing a citation or any writ of error, as aforesaid, shall take bond, and good and sufficient sureties, that the plaintiff shall prosecute his writ with effect, and answer all costs if he fail to make good his plea; and no writ of error shall operate as a supersedeas and stay of execution, unless such bond be with sureties and of sufficient amount to secure the whole judgment, if it be affirmed, in addition to the costs.

And the said court or the judges thereof, shall have power to appoint a clerk, who shall take the oath prescribed for the clerks of the district courts, and give bond for the faithful discharge of his duty, in such amount as said court may direct, whose fees shall be the same as those now allowed to the clerks of the Supreme Courts of the United States.

SEC. 41. Where, upon such writ of error, the Supreme Court shall affirm a judgment or decree, they may adjudge or decree to the defendant in error just damages for his delay not exceeding ten per cent. per annum, but such damages shall only be given when it is manifest to the court that the appeal or writ of

error was taken for delay, and all costs. The Supreme Courts shall not issue executions in causes that are removed before them by writs of error, but shall send a special mandate to the district court to award execution thereupon, including lawful costs accruing upon such appeal.

SEC. 42. From all final judgments or decrees which may be rendered in any district court in any cases of equity, of admiralty and maritime jurisdiction, and of prize or no prize, an appeal, where the matter in dispute, exclusive of costs, exceeds the sum or value of five thousand dollars in equity, or of five hundred dollars in courts of admiralty and maritime jurisdiction, shall be allowed to the Supreme Court, and upon such appeal, a transcript of the libel, bill, answer, depositions and all other proceedings of what kind soever in the cause, shall be transmitted to the said Supreme Court; and no new evidence, shall be received in the said court on the hearing of such appeal; and such appeals shall be subject to the same rules, regulations, and restrictions as are prescribed in law in case of writs of error; and the said Supreme Court shall be and hereby is authorized and required to receive, hear and determine such appeals: *Provided always*, That appeals or writs of error in any case to the Supreme Court of this Confederacy from existing judgments or decrees, may be taken under the same rules and regulations required by the laws of the United States for appeals or writs of error to the Supreme Court of the United States existing at the time the said judgment or decrees were rendered.

SEC. 43. The Supreme Court shall have power from time to time to make all such rules and regulations as it may deem needful for the orderly and correct dispatch of cases not inconsistent with the rules of law, and this power shall extend both to original and appellate causes therein. In all cases in the Supreme Court where there is an equal division of opinion among the judges thereof, and the court is not full, there shall be awarded a re-argument before a full court. If there be such division when the court is full, then the judgment of the court below shall be affirmed.

SEC. 44. The Supreme Court shall have original jurisdiction of all controversies of a civil nature where a state is a party, except between a state and its citizens, or citizens of any other state or nation. It shall also have exclusively all such jurisdic-

tion of suits or proceedings against ambassadors or other public ministers, or their servants, as a court of law can have or exercise consistently with the law of nations, and original, but not exclusive jurisdiction, of all suits brought by ambassadors or other public ministers, or in which a consul or vice-consul shall be a party. And the trial of issues in fact in the Supreme Court, in all actions at law against citizens of the Confederate States shall be by jury, and it shall have power to issue writs of prohibition to the district courts, when proceeding as courts of admiralty and maritime jurisdiction, and writs of mandamus, in cases warranted by the principles and usages of law, to any courts appointed under the authority of the Confederate States.

SEC. 45. *Be it further enacted*, That a final judgment or decree in any suit, in the highest court of law or equity of a state in which a decision in the suit could be had, where is drawn in question the validity of a treaty or statute of, or an authority exercised under the Confederate States :

Or where is drawn in question the validity of a statute of, or an authority exercised under any state, on the ground of their being repugnant to the constitution, treaties or laws of the Confederate States :

Or where is drawn in question the construction of any clause of the constitution, or of a treaty, or statute or commission held under the Confederate States :

In each of these causes the decision may be re-examined, and reversed or affirmed in the Supreme Court of the Confederate States, upon a writ of error, the citation being signed by any judge of the said Supreme Court, in the same manner and under the same regulations, and with the like effect as if the judgment or decree complained of had been rendered or passed in a district court of the Confederate States ; and the proceeding upon reversal shall be the same, except that the Supreme Court, instead of remanding the cause for a final decision, may at their discretion, if the cause shall have once been remanded before, proceed to a final decision of the same and award execution. But no other error shall be assigned or regarded as a ground of reversal in any such case as aforesaid than such as appears in the face of the record, and immediately respects the beforementioned questions of validity or construction of the said constitution, treaties, statutes, commissions or authorities in dispute.

SEC. 46. All judgments, orders and decrees made by any state court since the date of the secession of such state, upon any subject or matter which before such secession was within the jurisdiction of the courts of the United States, shall have the force and effect of judgments, orders and decrees of the courts herein established, with the privilege of either party to appeal or sue out a writ of error.

SEC. 47. *And be it further enacted,* That all the records, papers, dockets, depositions and judicial proceedings of every kind appertaining to any suit now pending in the circuit or district courts of the United States, within any of the states of the Confederacy, shall be transferred to the District Court of the Confederate States of America in the same state and district in which the same was pending; and the late clerk of said *of said* court or district courts, or other persons in whose custody said records, papers, dockets, depositions and judicial proceedings may be, shall deliver the same to the clerk of the district court to which they may be transferred under the provisions of this act, and the same shall stand in the same plight and condition in which they were in said circuit and district courts respectively, and all previous orders therein made shall have the same effect. And the court to which said causes are hereby transferred shall proceed to hear and determine the same according to law, and all dockets, books, records, documents and papers of every kind pertaining to judicial proceedings in any of said courts, and to suits heretofore decided therein, and all patents, deeds, records, books and papers pertaining to any land office which may by law have been deposited with the clerk of any of said courts or transferred to his office for safe keeping, shall be delivered to the clerk of the district court for the district in which such court is situated, and the same shall be safely kept and preserved by said clerk until otherwise provided by law. And copies of any such records or other papers made out by said clerk of the district court and authenticated according to law, shall have the force and effect given to copies of other instruments of like character in such state, and be admissible in evidence in all cases in which copies are admitted as evidence in the courts of the Confederate States: *Provided,* That all suits which shall have been pending in any of said courts for the space of five years without prosecution shall be considered as abandoned;

unless prosecuted within six months from the time of such transfer.

And the judgments in all civil cases heretofore rendered in said circuit and district courts of the United States remaining unsatisfied, shall have the same force and effect which they had before the secession of the state in which said court is situated, and the same proceedings may be had thereon in the district court of the Confederate States, by execution or otherwise, which might have been taken in the court in which they were rendered at the time of their rendition. And where, under any such judgment of the circuit courts of the United States, any execution may have been in part executed by levy on property or otherwise, it shall be the duty of the marshal or officer in whose hands such execution and property may be, to turn over the same to the marshal of the Confederate States for the district in which such judgment was rendered, and to take his receipt therefor; and thereupon the said marshal shall proceed to dispose of the same according to the laws in force at the time such judgment was rendered, and pay over the proceeds to the party entitled. And new process shall be issued in such district courts when requisite; but all suits pending in said courts in which the United States are plaintiffs shall remain suspended, and no further proceedings shall be had therein until the independence of this Confederacy shall be recognized by the United States; and execution of all judgments rendered in favor of said United States is hereby suspended, and all seizures on executions heretofore made in behalf of the said United States are hereby declared to be inoperative and void, and shall not be renewed until recognition be made of the independence of this Confederacy as aforesaid. But this section shall be subject to such disposition of the causes therein provided for as has been made by the several states before the adoption of the Provisional Constitution, unless said states shall conform their legislation to the provisions in this act contained.

SEC. 48. Where cases are now pending in the Supreme Court of the United States upon appeal or writ of error, from any court of the states now forming the Confederate States, it shall be lawful for the appellant or plaintiff in error, at any time within twelve months from the date, to dismiss such appeal or writ of error, and file a transcript of the record and a copy of the bond

for the appeal or writ of error in the Supreme Court of the Confederate States, and thereupon the same shall be considered in all respects as if it had been originally filed in the said Supreme Court of the Confederate States, and shall be heard and determined in said court according to the laws in force at the time said cause was determined in the court below, and the rights of the respective parties shall be the same as when said cause was taken up to the Supreme Court of the United States. And if such cause shall not be transferred in twelve months as aforesaid, then the judgment of the court from which the appeal or writ of error was taken shall be deemed final and in all things affirmed. And in case of such transfer, the bond given for the appeal or writ of error shall be and remain in full force in the court of the Confederate States; and in cases where the transcripts of the records have already been printed in the Supreme Court of the United States under the rules thereof, such printed copy duly certified by the clerk of that court may be filed in the Supreme Court of these Confederate States, and it shall not be necessary to have a new transcript made by the clerk of the court from which the appeal or writ of error was prosecuted.

SEC. 49. And where there shall heretofore have been any judgment or decree in the Supreme Court of the United States in a case from any of the district or circuit courts of the United States for any one of the states now forming a part of the Confederate States, and which remains in force and unexecuted, it shall be and it is hereby made the duty of the district court of such Confederate State and its officers to carry into effect and to execute such judgment or decree according to the mandate of the Supreme Court of the United States, as if there had been no dissolution of the Union: *Provided*, That such judgment or decree was rendered before the secession of the state from which such cause went to the Supreme Court.

When any cause is transferred under the provisions of this law, notice of such transfer shall be given to the adverse party or his counsel thirty days before the term of the court at which such cause is to be tried.

SEC. 50. In all cases where persons are under judgment or sentence, or are imprisoned upon conviction of any crime or offence, before any court of the United States, in any of the states now forming a part of the Confederate States of America, such judgment or sentence shall continue in full force and effect



until the same has been executed and carried out, and the said district courts of the Confederate States are hereby clothed with all necessary powers to have such judgment or sentence executed.

And no person now under arrest or in custody upon any criminal charge or offence, on process issued from the courts of the United States, shall be released by reason of the dissolution of the Union, but he shall continue under arrest or in custody until discharged by due course of law. And any bail bond given by any party to answer any charge under process from any of said courts shall be obligatory upon such party and his sureties, and bind him to appear at the first term of the district court of the Confederate States to be held for the district in which he was arrested.

And all indictments heretofore found in any of the said courts and not yet disposed of shall continue in full force and virtue until heard and determined in the district court of the Confederate States for the district in which the same was found. And all warrants or other process issuing on any criminal charge from any of said courts shall continue in force and be made returnable to the court of the district in the Confederate States in which the offence therein charged is alleged to have been committed. And to these ends full authority is hereby granted to said district courts.

SEC. 51. Where, by the laws of any state, its penitentiary or jails may be used by the courts or marshals of the Confederate States, the same shall be so used whenever necessary; but if in any state there be no law authorizing their use, then it shall be the duty of the marshal to provide a suitable place or places for the custody and confinement of all prisoners or convicts who may be committed to his custody by competent legal authority.

SEC. 52. Where any forfeiture or penalty is by law prescribed against misfeasance or malfeasance in office by any of the officers of the Confederate States residing at the seat of government, or where crimes or offences are committed by any of said officers in their respective offices, which are or may be punishable by indictment, or where suits may become necessary upon the official bonds of any such officers, made payable to the Confederate States of America, the jurisdiction in all such cases shall pertain to and be exercised by the district court of the Confederate States which shall be held at the seat of government.

SEC. 53. From all judgments or decrees which shall be rendered in causes pending in the courts of the United States at the time of the secession of the states in which the same were, and which causes shall be transferred to and decided by the courts of this Confederacy, writs of error or appeal may lie to the Supreme Court of this Confederacy, when the sum or matter in controversy exceeds the sum of two thousand dollars.

SEC. 54. This act shall be in force and have effect from and after the passage thereof, and all laws and parts of laws coming within the purview of this act shall be and the same are hereby repealed.

APPROVED, March 16, 1861.

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No. 84.]

## AN ACT

Making appropriations for the Custom Houses at New Orleans and Charleston, and for other purposes.

*The Congress of the Confederate States of America do enact,* That the following sums be and they are hereby appropriated for the objects hereafter expressed, for the year ending February the fourth, eighteen hundred and sixty-two :

*Custom House, Charleston, South Carolina.*—For preserving unfinished work upon the Charleston custom house, the sum of five thousand dollars.

*Custom House, New Orleans.*—For roof, and preserving unfinished work upon the custom house at New Orleans, the sum of ten thousand dollars. For fitting up suitable rooms for the accommodation of the courts, and clerk's office at New Orleans, the sum of ten thousand dollars.

APPROVED, March 15, 1861.

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No. 85.]

## A RESOLUTION

In relation to the Contingent Fund of Congress.

1st. *Resolved by the Congress of the Confederate States of America,* That the disbursement of the contingent fund of Congress be placed under the direction and control of the Secretary, subject to the approval of the committee on accounts.

*Resolved further,* That estimates shall regularly be submitted by the Secretary, and no disbursement of the contingent fund shall hereafter be audited by the committee on accounts, except in accordance with such estimates.

*Resolved further,* That the Secretary at the next meeting of this Congress, shall submit a detailed and particular statement of the payments made and authorized by him from the contingent fund of Congress.

APPROVED, March 15, 1861.

No. 86.]

## AN ACT

To establish the Bureau of Indian Affairs.

SECTION 1. *The Congress of the Confederate States of America do enact,* That an additional bureau in the War Department be and the same is hereby established, to be known as the Bureau of Indian Affairs, and charged with the management of our relations with the Indian tribes.

SEC. 2. *Be it further enacted,* That the President, by and with the advice and consent of the Congress, may appoint a Commissioner of Indian Affairs and one clerk, to take charge of the business of the bureau hereby established, the salary of the commissioner to be twenty-five hundred dollars per annum, and the salary of the clerk fifteen hundred dollars per annum.

APPROVED, March 15, 1861.

No 87.]

## AN ACT

To exempt from Duty certain articles of Merchandise therein named.

SECTION 1. *The Congress of the Confederate States of America do enact,* That the Secretary of the Treasury is hereby authorized and empowered to remit the duty in all cases where commodities were *bona fide* purchased or contracted for on or before the 18th day of February last, within the late United States, where the importer has not been able to comply with the provisions of the act to define more accurately the exemption of certain goods from duty, which required that the goods, wares and merchandise should have been actually laden on

board of the exporting vessel or conveyance destined for any port in this Confederacy on or before the fifteenth day of March in the present year: *Provided*, Such testimony is furnished the Secretary of the Treasury by the importer that it was impossible to comply with the provisions of said act, and also that the demand and collection of said duty has operated injuriously to him or them beyond the commercial effect upon articles of consumption by the imposition of duties.

SEC. 2. *And be it further enacted*, That all books, pamphlets and tracts and other publications printed and published by any church or benevolent society, whose organization extends to and embraces citizens of the Confederate States, shall be free and exempt from duty.

SEC. 3. *And be it further enacted*, That all facts herein required to exist in order to entitle a party to the benefits of this act, shall be established to the satisfaction of the Secretary of the Treasury, in a manner to be prescribed by him.

APPROVED, March 15, 1861.

No. 88.]

## AN ACT

To fix the Duties on Articles therein named.

SECTION 1. *The Congress of the Confederate States of America do enact*, That an ad valorem duty of fifteen per cent. shall be imposed on the following named articles imported from abroad into the Confederate States of America in lieu of the duties now imposed by law, to-wit: Coal, cheese, iron in blooms, pigs, bars, bolts, and slabs, and on all iron in a less manufactured state; also on railroad rails, spikes, fishing plates, and chains used in the construction of railroads, paper of all sorts and all manufactures of; wood, unmanufactured, of all sorts.

APPROVED, March 15, 1861.

No. 89.]

## AN ACT

Making appropriations for the support of the Navy for the year ending 4th February, eighteen hundred and sixty-two.

*The Congress of the Confederate States do enact*, That the following sums be and the same are hereby appropri-

ated for the objects hereinafter expressed, for the year ending the fourth day of February, one thousand eight hundred and sixty-two, namely:

1st. For the pay of officers of the navy on duty and off duty, based upon the presumption that all the grades authorized by the act of 1861 will be filled, one hundred and thirty-one thousand seven hundred and fifty dollars.

2d. For the pay of officers, non-commissioned officers, musicians and privates of the marine corps, one hundred and seventy-five thousand five hundred and twelve dollars.

3d. For provisions and clothing and contingencies in paymaster's department, one hundred and thirty-three thousand eight hundred and sixty dollars.

4th. For the pay of warrant and petty officers, and of five hundred seamen, ordinary seamen, landsmen and boys, and engineer's department, one hundred and sixty-eight thousand dollars.

5th. For expenditures which will be required for coal for the use of steamers, two hundred and thirty-five thousand dollars.

6th. For the probable cost of ten steam gunboats for coast defences of the Confederate States, to be built or purchased as may be most convenient, one million one hundred thousand dollars.

7th. For the probable cost of completing and equipping the steam sloop *Fulton*, now at the Pensacola navy yard, twenty-five thousand dollars.

8th. For the pay of officers and others at the navy yard, Pensacola, fifty-four thousand three hundred and sixty-three dollars.

9th. For compensation of four clerks on duty at the Navy Department as per act of 11th March, at fifteen hundred dollars each, six thousand dollars.

APPROVED, March 15, 1861.

No. 90.]

AN ACT

Supplementary to an Act entitled an Act to organize the Navy.

SECTION 1. *The Congress of the Confederate States of America do enact*, That in case officers who were formerly attached to the navy of the United States, but had resigned in consequence

of the secession of any one, or of all of the Confederate States, should receive appointments in the navy of the Confederate States, the President is authorized to affix to their commissions such dates as may be necessary to secure to them the same relative position that they held in the former service.

APPROVED, March 16, 1861.

No. 91.]

## AN ACT

To authorize the transit of Merchandise through the Confederate States.

SECTION 1. *The Congress of the Confederate States of America do enact*, That goods, wares and merchandise imported from any foreign country into the Confederate States, destined for any foreign country, may be entered and have transit through the Confederate States free of duty, subject to such regulations as the Secretary of the Treasury from time to time shall make; and the said Secretary of Treasury shall have power to make such regulations as he may deem expedient for the safety of the revenue and for the public convenience, which regulations may be enforced in the manner prescribed by law as to other regulations in relation to the revenue.

APPROVED, March 15, 1861.

No. 92.]

## A RESOLUTION

To pay certain Naval Officers their Travelling Expenses.

SECTION 1. *The Congress of the Confederate States of America do resolve*, That the Secretary of the Navy be and he is hereby authorized to pay to Samuel Rousseau, Joseph Tatnall, Victor M. Randolph, J. D. Ingraham and Raphael Semmes, late officers of the navy of the United States, who were summoned to this city by the committee on naval affairs, in pursuance of authority conferred on said committee by a resolution of this body adopted on the fourteenth day of February, one thousand eight hundred and sixty-one, their travelling expenses at the rates prescribed by law.

APPROVED, March 15, 1861.

No. 93.]

## AN ACT

To repeal the Third Section of an Act to exempt from Duty certain commodities therein named, and for other purposes.

*The Congress of the Confederate States of America do enact,* That the third section of an act passed February eighteenth, eighteen hundred and sixty-one, entitled an act to exempt from duty certain commodities therein named and for other purposes, be and the same is hereby repealed; and that the tariff laws shall apply to the State of Texas from the date of her admission into this Confederacy in the same manner as the same apply to the other states.

APPROVED, March 15, 1861.

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No. 94.]

## AN ACT

Supplemental to an Act to define and fix the pay of the Officers of the Congress.

SECTION 1. *The Congress of the Confederate States of America do enact,* That the amount of salary established by the said act for each officer during the continuance of the provisional government shall be deemed a salary for a year, and that each officer may receive a rateable proportion thereof at any time during the year upon the warrant of the President of the Congress.

APPROVED, March 16, 1861.

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No. 95.]

## A RESOLUTION

To provide for the Auditing and Paying of certain Claims against the Congress.

*Resolved by the Congress of the Confederate States of America,* That Hon. William P. Chilton, the resident member of the committee on accounts, be authorized to audit and allow accounts against the Congress which have not been audited and allowed—the Secretary of the Congress to act with said member of said committee; and claims audited and allowed by them to be paid on the order of said Chilton, for said committee, countersigned by said Secretary; and this resolution to operate only during the recess of Congress.

APPROVED, March 16, 1861.

No. 96.]

## AN ACT

To appropriate Money for certain civil purposes.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the following sum be and the same is hereby appropriated for the object hereafter expressed, for the year ending the fourth of February, eighteen hundred and sixty-two: For salary of Auditor of the Treasury for auditing accounts of the war office in the expenditure for the army, the sum of three thousand dollars.

APPROVED, March 16, 1861.

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No. 97.]

## AN ACT

Making additional appropriations for the support of the Army, for the year ending the first of March, eighteen hundred and sixty-two.

*The Congress of the Confederate States of America do enact*, That the following sum be and the same is hereby appropriated out of any money in the treasury not otherwise appropriated, namely: For the purchase of ordnance and ordnance stores, one hundred and ten thousand dollars.

APPROVED, March 16, 1861.

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No. 98.]

## AN ACT

Making appropriations for the service of the Post-Office Department, for the fiscal year ending the first of March, eighteen hundred and sixty-two.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the following sums be appropriated for the Post-Office Department for the year ending the first of March, one thousand eight hundred and sixty-two, out of any moneys in the treasury arising from the revenues of the service of said department, namely: For transportation of the mails inland, one million one hundred and two thousand two hundred and eighteen dollars forty-nine cents; for compensation of postmasters, three hundred thousand dollars; for clerk of post-offices, one hundred thousand dollars; for ship, steamboat and way letters, five thou-



and dollars; for office furniture for post-offices, two thousand dollars; for advertising, fifteen thousand dollars; for mail bags, ten thousand dollars; for paper blanks, ten thousand dollars; for printing blanks, three thousand dollars; for wrapping paper, eight thousand dollars; for mail locks, keys and stamps, ten thousand dollars; for mail depredations and special agents, twenty thousand dollars; for miscellaneous payments, forty thousand dollars; for postage stamps and stamped envelopes, twenty-five thousand dollars; for payment on account of foreign mail service, seventy-five thousand dollars; for payment of letter carriers, two thousand dollars.

SEC. 2. That the sum of three hundred and twenty thousand and sixty dollars thirty-six cents be and the same is hereby appropriated, to be paid out of any moneys in the treasury not otherwise appropriated, to supply deficiencies in the revenue of the Post-Office Department for the year ending the first of March, one thousand eight hundred and sixty-two.

APPROVED, March 16, 1861.

No. 99.]

## AN ACT

To authorize the Secretary of the Treasury to appoint Special Agents in certain cases.

SECTION 1. *The Congress of the Confederate States do enact,* That the Secretary of the Treasury shall be and he is hereby authorized to appoint special agents for the purpose of organizing the custom houses at ports of entry and delivery on the frontiers between the Confederate States and other governments, and to cause examinations to be made of the books, accounts, money on hand and general management of all the offices of the several collectors of the customs, sub-treasurers, public depositaries, mints, and all other officers and agents who may be under the control of the Treasury Department, as occasion may require, with such compensation, not exceeding six dollars per day and travelling expenses, as he may think reasonable, to be fixed at the time of each appointment. The agent selected to make these examinations shall be instructed, in all offices having charge of public funds, to examine as well the books, accounts and returns of the officer, as the money on hand

and the manner of its being kept, to the end that uniformity and accuracy in the accounts, as well as safety to the public moneys may be secured thereby.

SEC. 2. *Be it further enacted*, That this act shall expire in two years from the date of its passage.

APPROVED, March 16, 1861.

No. 100.]

## AN ACT

Making appropriation for the service of the Bureau of Indian Affairs.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the following sum be and the same is hereby appropriated, out of any money in the treasury not otherwise appropriated, for the service of the Bureau of Indian Affairs, for the year ending first of March, eighteen hundred and sixty-two, namely: For the salary of the commissioner and chief clerk of the Bureau of Indian Affairs and incidental expenses of the bureau, five thousand dollars.

APPROVED, March 16, 1861.

No. 101.]

## AN ACT

To amend an Act entitled an Act authorizing the President alone to make certain appointments.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the act described in the caption hereof shall be held and construed, to authorize the President to appoint, during the recess of Congress, all officers, civil, military and naval, established by law: *Provided*, Such appointments shall be submitted to the Congress when it re-assembles, for its advice and consent.

APPROVED, March 16, 1861.

CONFEDERATE STATES OF AMERICA, }  
DEPARTMENT OF STATE. }

I certify that the foregoing Laws and Resolutions have been carefully compared with the original copies on file in the office of the Secretary of State.

WM. F. ALEXANDER,  
Chief Clerk,

MONTGOMERY, 18th April, 1861.



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